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**EXHIBIT A**

INITIAL PAROLE CONSIDERATION HEARING

STATE OF CALIFORNIA

BOARD OF PAROLE HEARINGS

In the matter of the Life )  
Term Parole Consideration )  
Hearing of: )

CDC Number H-40124

HUY DANG )  
\_\_\_\_\_)

**COPY**  
**INMATE**

CORRECTIONAL TRAINING FACILITY

SOLEDAD, CALIFORNIA

JUNE 1, 2006

8:40 A.M.

PANEL PRESENT:

Mr. Philip Inglee, Presiding Commissioner  
Ms. Barbara Moore, Deputy Commissioner

OTHERS PRESENT:

Mr. Huy Dang, Inmate  
Mr. Dejon Lewis, Attorney for Inmate  
Mr. Robert Bulloch, Deputy District Attorney  
Mr. Andy Mein, Interpreter

CORRECTIONS TO THE DECISION HAVE BEEN MADE

_____	No	See Review of Hearing
_____	Yes	Transcript Memorandum

J. Farncomb

Peters Shorthand Reporting

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DEPUTY COMMISSIONER MOORE: We're  
recording.

PRESIDING COMMISSIONER INGLEE: This is  
an Initial Parole Consideration Hearing for Huy  
Dang, D-A-N-G, CDC number H-40124. Today's date  
is June 1, 2006, and as noted the time is 8:40.  
We are located at CTF, Soledad. The inmate was  
received on 7/8/1992, and was committed from San  
Bernardino County. His life term began on  
12/30/1999. The inmate's minimum eligible  
parole date is 12/30/2006. His controlling  
offense, which the inmate has been committed, is  
set forth in Case Number SCR55894. Charged in  
Count 16, kidnap, robbery-armed, and that's  
Penal Code Sections 209(b), W12022(a)(1). The  
inmate received a term of 16 years to life, and  
the base term was life with an enhancement of 16  
years. This Hearing is being tape-recorded and  
for the purpose of voice identification each of  
us is required to state our first and last  
names, spelling our last name. When it comes to  
the inmate's turn you will spell your last name  
and give us your CDC number. Starting out with  
myself and then going to my left, my name is  
Philip Inglee, I-N-G-L-E-E, and I'm a  
Commissioner.

1           **DEPUTY COMMISSIONER MOORE:** Good morning,  
2 I'm Deputy Commissioner Barbara Moore,  
3 M-O-O-R-E, with the Board of Parole Hearings.

4           **DEPUTY DISTRICT ATTORNEY BULLOCH:** Robert  
5 Bulloch, B-U-L-L-O-C-H, Deputy District  
6 Attorney, San Bernardino County.

7           **ATTORNEY LEWIS:** Dejon Lewis, L-E-W-I-S,  
8 Attorney for Mr. Dang.

9           **INMATE DANG:** Huy Dang, D-A-N-G, H-40124.

10          **INTERPRETER MEIN:** Andy [phonetic] Mein  
11 [phonetic], Interpreter.

12          **PRESIDING COMMISSIONER INGLEE:** Before we  
13 go any further I'm going to swear in the  
14 interpreter. Please raise your right hand. Do  
15 you solemnly swear that in acting as an  
16 interpreter at this Hearing you will accurately  
17 and correctly interpret the proceedings to the  
18 best of your ability.

19          **INTERPRETER MEIN:** I do.

20          **PRESIDING COMMISSIONER INGLEE:** Fine,  
21 thank you. Mr. Dang, can you, in front of you -  
22 - and this is the reason that I asked you about  
23 your English -- there is an ADA statement that I  
24 will ask you to read. If you cannot read it  
25 then I'll ask the interpreter to read it for you  
26 in Vietnamese.

27          **INMATE DANG:** I will read.

1           **PRESIDING COMMISSIONER INGLEE:** All

2 right, if you have problems just stop.

3           **INMATE DANG:** ADA, Americans

4 with Disabilities Act. The

5 Americans with Disabilities Act,

6 ADA, is a law to help people with

7 disabilities. Disabilities are

8 problems that make it harder for

9 some people to see, hear, breathe,

10 talk, walk, learn, think, work, or

11 take care of themselves than it is

12 for other. Nobody can be keep out

13 of public place or activity

14 because of a disabilities. If you

15 have a disability, you have to

16 right, the right to ask for help

17 to get ready for your BPT Hearing,

18 get to the Hearing, talk, read

19 forms and papers, and understand

20 the Hearing process. BPT will

21 look at what you asked for to make

22 sure that you have a disability

23 that is covered by the ADA, and

24 that you have asked for the right

25 kind of help. If you do not get

26 help or if you don't think you got

27 the kind of help you need, ask for

1 a BPT 1074 Grievance Form,  
2 Grievance Forms. You can also get  
3 help to fill it out.

4 **PRESIDING COMMISSIONER INGLEE:** Did you  
5 understand what you read?

6 **INMATE DANG:** Yes, sir.

7 **PRESIDING COMMISSIONER INGLEE:** All  
8 right. Your records reflect that you did, also,  
9 sign a BPT Form 1073, and that was signed on  
10 7/6/2005, and at that time you said that you did  
11 not need any help for your Parole Hearing. Is  
12 that still correct? You should use your  
13 interpreter for this.

14 **INMATE DANG THROUGH INTERPRETER:** He said  
15 he asked for an interpreter.

16 **PRESIDING COMMISSIONER INGLEE:** Yes, but  
17 he doesn't have any physical limitations.

18 **INMATE DANG THROUGH INTERPRETER:** No.

19 **PRESIDING COMMISSIONER INGLEE:** Of  
20 course, you have an interpreter here. I think  
21 we probably should interpret going through --

22 **INMATE DANG:** All right.

23 **PRESIDING COMMISSIONER INGLEE:** -- so  
24 this Hearing doesn't last for -- yeah, okay.  
25 All right, do you have any problems walking up  
26 and down stairs or for a distance of 100 yards  
27 or more?

1           INMATE DANG THROUGH INTERPRETER: Okay,  
2 he said he sometimes has trouble walking up and  
3 down (indiscernible) because he just had an  
4 operation about a year ago.

5           PRESIDING COMMISSIONER INGLEE: Did he  
6 have a difficult time coming to the Hearing  
7 today?

8           INMATE DANG THROUGH INTERPRETER: No.

9           PRESIDING COMMISSIONER INGLEE: All  
10 right. Does he need glasses or a magnifying  
11 device in order to see?

12          INMATE DANG THROUGH INTERPRETER: No.

13          PRESIDING COMMISSIONER INGLEE: Does he  
14 have any hearing impairments?

15          INMATE DANG THROUGH INTERPRETER: No.

16          PRESIDING COMMISSIONER INGLEE: Has he  
17 ever been included in a Triple CMS or EOP  
18 program?

19          INMATE DANG THROUGH INTERPRETER: No.

20          PRESIDING COMMISSIONER INGLEE: Does he  
21 know what they are?

22          INMATE DANG THROUGH INTERPRETER: Yes.

23          PRESIDING COMMISSIONER INGLEE: What are  
24 they?

25          INMATE DANG THROUGH INTERPRETER: Okay,  
26 they're programs for the people that have a  
27 problem (indiscernible) went to sleep and things



1 like.

2           **PRESIDING COMMISSIONER INGLEE:** Tell him  
3 that they are -- these are problems dealing with  
4 emotional or mental problems. And has he ever  
5 been treated for either one of the two?

6           **INMATE DANG THROUGH INTERPRETER:** No.

7           **PRESIDING COMMISSIONER INGLEE:** All  
8 right. How far did he go in school before he  
9 came to prison?

10          **INMATE DANG THROUGH INTERPRETER:**  
11 Eleventh grade.

12          **PRESIDING COMMISSIONER INGLEE:** Eleventh  
13 grade. Did he take any special education  
14 classes while he was in school?

15          **INMATE DANG THROUGH INTERPRETER:** Okay, I  
16 attend ESL.

17          **PRESIDING COMMISSIONER INGLEE:** I'm  
18 sorry.

19          **INMATE DANG THROUGH INTERPRETER:** ESL,  
20 that means second language.

21          **PRESIDING COMMISSIONER INGLEE:** Second  
22 language.

23          **INMATE DANG THROUGH INTERPRETER:** English  
24 is second language.

25          **PRESIDING COMMISSIONER INGLEE:** All  
26 right, we understand that and we've taken care  
27 of that by having an interpreter. All right,

1 finally, does he suffer from any disability that  
2 would prevent him from participating in this  
3 Hearing today?

4 INMATE DANG THROUGH INTERPRETER: No.

5 PRESIDING COMMISSIONER INGLEE:

6 Counselor, do you have any comments or concerns  
7 regarding your client's ADA rights?

8 ATTORNEY LEWIS: No, I do not.

9 PRESIDING COMMISSIONER INGLEE: This  
10 Hearing is being conducted pursuant to Penal  
11 Code Sections 3041 and 3042, and the Rules and  
12 Regulations of the Board of Prison Terms  
13 governing Parole Consideration Hearings for life  
14 inmates. Is he understanding me?

15 INMATE DANG THROUGH INTERPRETER: Yes, I  
16 understand.

17 PRESIDING COMMISSIONER INGLEE: Okay.

18 INMATE DANG THROUGH INTERPRETER: No  
19 problem.

20 PRESIDING COMMISSIONER INGLEE: Because I  
21 want to be sure that he understands what I'm  
22 saying because I don't think you're interpreting  
23 for him.

24 INTERPRETER MEIN: Yeah.

25 PRESIDING COMMISSIONER INGLEE: And I  
26 don't want to find out --

27 INTERPRETER MEIN: I got it.

1           **PRESIDING COMMISSIONER INGLEE:** -- after  
2 the meeting is over that he didn't understand  
3 what we were saying.

4           **INMATE DANG THROUGH INTERPRETER:** Yeah.

5           **PRESIDING COMMISSIONER INGLEE:** Okay, the  
6 purpose of today's Hearing is to consider your  
7 suitability for parole. In doing so we will  
8 consider the number and nature of the crimes  
9 that you were committed for, your prior criminal  
10 and social history and your behavior and  
11 programming since your commitment. We have had  
12 the opportunity to review your Central File and  
13 you will be given an opportunity to correct or  
14 clarify the record. We will consider your  
15 progress since your commitment your counselor's  
16 report and psychological report. And any change  
17 in your parole plans should be brought to our  
18 attention. We will reach a decision today and  
19 inform you whether or not we find you suitable  
20 for parole and the reasons for our decision. If  
21 you are found suitable for parole the length of  
22 your confinement will be explained to you.  
23 Before we go any further I want to advise you  
24 that we expect you to totally be honest with us  
25 today. If you do not get a date today, this  
26 Hearing will form a foundation for all future  
27 Hearings. If you do not get a date today, any

1 false information that you would give us will  
2 have an adverse affect on your ability to get a  
3 date in the future. Nothing that happens here  
4 today will change the finding of the Court. We  
5 are not here to retry your case. We are here  
6 for the sole purpose of determining your  
7 suitability for parole. Do you understand that?

8 **INTERPRETER MEIN:** I do.

9 **PRESIDING COMMISSIONER INGLEE:** This  
10 Hearing is going to be conducted in two phases:  
11 I will discuss with you the crimes that you were  
12 committed for, your prior criminal and social  
13 history, your parole plans and any letters of  
14 support or opposition that may be in the file.  
15 Deputy Commissioner Moore will discuss with you  
16 your progress since your commitment, your  
17 counselor's report and your psychological  
18 evaluation. Once that is concluded the  
19 Commissioners, the District Attorney and your  
20 Attorney will be given an opportunity to ask you  
21 questions. The questions from the District  
22 Attorney shall be asked through the Chair, and  
23 your answers shall be directed to the Panel. He  
24 is not to talk to the District Attorney. Any  
25 answers that he has will be directed either  
26 directly to me or through your interpreter to me  
27 or to Deputy Commissioner Moore or myself. The

1 Hearing will be -- excuse me. Once that is  
2 concluded the Commissioners, the District  
3 Attorney and your Attorney and you will be given  
4 -- I've already said that. Let me go down  
5 further. Before we recess for deliberations the  
6 District Attorney, your Attorney will be given  
7 an opportunity to make a final statement  
8 regarding your parole suitability. Your  
9 statement that you make should be directed to  
10 why you feel that you are suitable for parole.  
11 Once we have completed our deliberations we will  
12 resume the Hearing and announce our decisions.  
13 The California Code of Regulations states that  
14 regardless of time served, a life inmate shall  
15 be found unsuitable for and denied parole if, in  
16 the judgment of the Panel, the inmate would pose  
17 an unreasonable risk of danger to society if  
18 released from prison. You have certain rights.  
19 These rights include: the right of a timely  
20 notice of this Hearing; the right to review your  
21 Central File; the right to present relevant  
22 documents. Counsel, are you satisfied that your  
23 client's rights have been met in this regard?

24 **ATTORNEY LEWIS:** Yes, they have.

25 **PRESIDING COMMISSIONER INGLEE:** You also  
26 have the right to be heard by an impartial  
27 Panel. Mr. Dang, do you object to either member

1 of this Panel?

2 **INMATE DANG THROUGH INTERPRETER:** No.

3 **PRESIDING COMMISSIONER INGLEE:** What was  
4 his answer?

5 **INMATE DANG THROUGH INTERPRETER:** No.

6 **PRESIDING COMMISSIONER INGLEE:** No  
7 objection. Okay.

8 **INMATE DANG THROUGH INTERPRETER:** He  
9 doesn't speak up right now.

10 **PRESIDING COMMISSIONER INGLEE:**  
11 Counselor, do you have any objection to any  
12 member of this Panel?

13 **ATTORNEY LEWIS:** No, I do not.

14 **PRESIDING COMMISSIONER INGLEE:** You will  
15 receive a written copy of the tentative decision  
16 today. That decision is subject to review by  
17 the Decision Review Unit and by the entire Panel  
18 meeting as a Body. It will become effective  
19 within 120 days. It is also subject to review  
20 by the Governor. A copy of the decision and a  
21 copy of the transcript will be sent to you. As  
22 of May 2004 there were major changes limited  
23 your former rights to appeal for decision or  
24 actions directed to the Board. The old Board  
25 regulations were repealed. The current policy  
26 is entitled Administrative Appeals,  
27 Correspondence, and Grievances Concerning Board

1 of Prison Terms Decisions, and it is available  
2 in the prison law library for your review.  
3 You are not required to admit your offense or  
4 discuss your offense if you do not wish to do  
5 so. However, this Panel does accept as true the  
6 findings of the Court, and you are invited to  
7 discuss the facts and circumstances of the  
8 offense if you desire. The Board will review  
9 and consider any prior statements that you have  
10 made regarding the offense in determining your  
11 suitability for parole. Deputy Commissioner  
12 Moore, is there any confidential material in the  
13 file? And if so will it be used today?

14 **DEPUTY COMMISSIONER MOORE:** No, there is  
15 no material.

16 **PRESIDING COMMISSIONER INGLEE:** I have  
17 passed the Hearing checklist, marked Exhibit  
18 One, to your attorney. Did the district  
19 attorney also have a chance to review that?

20 **DEPUTY DISTRICT ATTORNEY BULLOCH:** I have  
21 see the checklist and I have all the documents.

22 **PRESIDING COMMISSIONER INGLEE:** All  
23 right. Counsel, do you have all your documents?

24 **ATTORNEY LEWIS:** Yes, I do.

25 **PRESIDING COMMISSIONER INGLEE:** Thank  
26 you. Are there any additional documents to be  
27 submitted today?

1           **ATTORNEY LEWIS:** None.

2           **PRESIDING COMMISSIONER INGLEE:** All

3 right. Are there any preliminary objects for  
4 the Hearing?

5           **ATTORNEY LEWIS:** No.

6           **PRESIDING COMMISSIONER INGLEE:** Will the  
7 inmate be speaking to the Panel?

8           **ATTORNEY LEWIS:** Yes.

9           **PRESIDING COMMISSIONER INGLEE:** On all  
10 subjects?

11           **ATTORNEY LEWIS:** Yes.

12           **PRESIDING COMMISSIONER INGLEE:** All  
13 right. Would you please ask Mr. Dang to raise  
14 his right hand. Tell him he is going to be  
15 sworn in now. Do you solemnly swear or affirm  
16 that the testimony you give at this Hearing will  
17 be the truth, the whole truth and nothing but  
18 the truth?

19           **INMATE DANG THROUGH INTERPRETER:** I do.

20           **PRESIDING COMMISSIONER INGLEE:** You do.

21 Thank you.

22           **INTERPRETER MEIN:** I him to raise his  
23 voice a bit so we can hear.

24           **PRESIDING COMMISSIONER INGLEE:** As this  
25 is your first or your Initial Hearing, we will  
26 be reading the Statement of Facts into the  
27 record.



1           INMATE DANG THROUGH INTERPRETER: Yes.

2           PRESIDING COMMISSIONER INGLEE: The  
3 Statement of Facts will be coming from the Court  
4 of Appeal, Fourth District, and it will be pages  
5 five through eight, starting on the paragraph of  
6 Facts:

7           Jose Lopez [phonetic] and his wife  
8 Wanpeth --And I'll spell the last  
9 and first name, W-A-N-P-E-T-H,  
10 Campbell, C-A-M-P-B-E-L-L, held a  
11 party at their home, hereafter  
12 referred to as the Lopez house, in  
13 Highland, in the evening of  
14 September 6, 1991. Some of those  
15 present were gambling. At about  
16 11:30 P.M., four or five Asian men  
17 approached the Lopez outside and  
18 forced him into the house. One of  
19 the men held a gun to his head.  
20 The seventeen victims of the  
21 residential robbery and the  
22 assaultants were rounded up and  
23 order to lie face down on the  
24 floor, and with the exception of  
25 the two assault victims were  
26 robbed of money and jewelry.

27 Is Mr. Dang receiving -- is he --

1 INMATE DANG THROUGH INTERPRETER: Yeah.

2 PRESIDING COMMISSIONER INGLEE: Be sure  
3 he understands what we're saying on this.

4 INMATE DANG THROUGH INTERPRETER: Yeah.

5 PRESIDING COMMISSIONER INGLEE:

6 Several of the victims testified  
7 that all of the robbers carried  
8 guns. Some of the victims heard  
9 the robbers speak in what the  
10 victims believed was Vietnamese,  
11 although the robbers issued orders  
12 in English. None of the guests at  
13 the gathering were Vietnamese. At  
14 least one of the robbers wore a  
15 handkerchief or cloth over his  
16 face. The robbers pulled out  
17 telephone wires before they left  
18 through the backdoor. After the  
19 robbers left --

20 DEPUTY COMMISSIONER MOORE: If I may  
21 request a break for myself before we continued.

22 I need to use the --

23 PRESIDING COMMISSIONER INGLEE:

24 Certainly.

25 DEPUTY COMMISSIONER MOORE: It's  
26 9:00 o'clock and we'll go on break.

27 PRESIDING COMMISSIONER INGLEE: We are

1 going to take a short recess.

2 (Off Record)

3 **DEPUTY COMMISSIONER MOORE:** We're on  
4 record at 9:12.

5 **PRESIDING COMMISSIONER INGLEE:** All  
6 right, we had a recess and during the recess we  
7 have had some discussion concerning the  
8 translations that are going on here at this  
9 time. And I'm not satisfied that we are being  
10 able to correctly go from English to Vietnamese  
11 and then from Vietnamese to English so that  
12 everybody understands what's being said. So  
13 what we have decided is because you speak, you  
14 speak conversational English, I'm going to  
15 continue to read and discuss the case in  
16 English. If you do not understands something,  
17 then you just tell your translator that you  
18 don't understand it and he will translate it for  
19 you. When you speak you can speak in Vietnamese  
20 and the translator will tell us what you are  
21 saying in English.

22 **INMATE DANG:** Yes, sir.

23 **PRESIDING COMMISSIONER INGLEE:** All  
24 right. Now --

25 **INMATE DANG:** Yes, sir.

26 **PRESIDING COMMISSIONER INGLEE:** -- is  
27 that going to be okay?

1 INMATE DANG: Yes, yes.

2 PRESIDING COMMISSIONER INGLEE: Counsel,  
3 is this okay with you?

4 ATTORNEY LEWIS: Yes.

5 PRESIDING COMMISSIONER INGLEE: If you  
6 have any problems, as I said before, talk to  
7 your translator. If you have any concerns about  
8 the Hearing in any way, shape, or form, then  
9 speak to your attorney. Okay?

10 INMATE DANG: Yes, sir.

11 PRESIDING COMMISSIONER INGLEE: All  
12 right. And don't, please, don't say yes, sir,  
13 to me only because you're an inmate and I'm the  
14 Commissioner. We want to be sure that you  
15 understand what is being said here today.

16 INMATE DANG: I understood.

17 PRESIDING COMMISSIONER INGLEE: Okay.

18 INMATE DANG: Yes, sir.

19 PRESIDING COMMISSIONER INGLEE: All  
20 right. Now this is not the time just to say yes  
21 just for the sake of saying yes.

22 INMATE DANG: I know.

23 PRESIDING COMMISSIONER INGLEE: You need  
24 to tell us directly and honestly whether you are  
25 understanding what is going on.

26 INMATE DANG: Yes, sir.

27 PRESIDING COMMISSIONER INGLEE: Let's

1 move forward then. And we will start -- we will  
2 go back and start over again in reading the  
3 Facts into the record of this specific case.  
4 Again, this comes from the Appellate Decision,  
5 and it starts on Page three.

6 Jose Lopez and his wife Wanpeth,  
7 And that's spelled W-A-N-P-E-T-H,  
8 Campbell, held a party at their  
9 home, hereafter referred to as  
10 the Lopez house, in Highland. In  
11 the evening of September 6, 1991,  
12 some of those present were  
13 gambling. At about 11:30 P.M.,  
14 four or five Asian men approached  
15 Lopez outside and forced him into  
16 the house. One of the men held a  
17 gun to his head. The seventeen  
18 victims of the residential  
19 robbery and assaultants were  
20 rounded up and ordered to lie  
21 face down on the floor, and with  
22 the exception of the two assault  
23 victims were robbed of money and  
24 jewelry.

25 All right, I'm going to stop for one second.  
26 Mr. Dang, are you understanding what I'm saying?

27 **INMATE DANG:** Yes, sir.

1           **PRESIDING COMMISSIONER INGLEE:** All  
2 right.

3           Several of the victims testified  
4 that all of the robbers carried  
5 guns. Some of the victims heard  
6 the robbers speaking in what the  
7 victims believed was Vietnamese,  
8 although the robbers issued orders  
9 in English. None of the guest at  
10 the gathering was Vietnamese. At  
11 least one of the robbers wore a  
12 handkerchief or cloth over his  
13 face. The robbers pulled out the  
14 telephone wires before they left  
15 through the backdoor. After the  
16 robbers left several of the victims  
17 heard one or two gunshots from  
18 outside the house. A Highland  
19 resident testified that around  
20 midnight that night she heard two  
21 gunshots. She saw three men near  
22 her fence and one appeared to have  
23 a gun. One of the men appeared to  
24 be hurt. The blood was found later  
25 in the area. However, none of the  
26 five persons later arrested had  
27 been injured. A Highland resident,

1 James Gibbons, G-I-B-B-O-N-S,  
2 testified that late that night he  
3 saw two Asian men running down  
4 Grave [phonetic] Street towards  
5 Sixth Street. One of the men was  
6 wearing a red shirt and he threw  
7 away what appeared to be a gun.  
8 Gibbons followed the man in a car  
9 and saw that a few minutes later at  
10 a market the man in the red shirt  
11 was throwing money size papers into  
12 a trashcan. The other man helped  
13 pick up some of the papers that had  
14 fallen on the ground instead of  
15 into the trashcan. Later officers  
16 found a Uzi-type gun-clip in the  
17 area where Gibbons had seen the  
18 items thrown. Chu, and that's  
19 spelled C-H-U, was wearing a red  
20 shirt and beige pants, was arrested  
21 with Trinh, which is spelled  
22 T-R-I-N-H, at the market. Chu was  
23 making a telephone call when the  
24 police arrived. The trashcan  
25 nearby contained U.S. and other  
26 currency, including Vietnamese,  
27 Australian, Singapore, Philippine,

1 and Japanese monies. Chu gave a  
2 false name when he was arrested.  
3 At the field show up later that  
4 night, Gibbons identified Chu as  
5 the man in the red shirt who had  
6 thrown something away. Meanwhile,  
7 Dang, again spelled D-A-N-G, Sau,  
8 spelled S-A-U, and Huan N, H-U-A-N,  
9 and then a capital N, accosted  
10 Louis [phonetic] Salazar,  
11 S-A-L-A-Z-A-R, and his girlfriend  
12 Rhonda [phonetic] Bird [phonetic],  
13 a few blocks from the Lopez house.  
14 Bird had been sitting in Salazar's  
15 car outside the Salazar house.  
16 Just as Salazar was coming out of  
17 the house, Dang and Huan N  
18 approached saying that they needed  
19 help because somebody was after  
20 them. Huan N pulled a gun on  
21 Salazar and ordered Bird to unlock  
22 the car. Huan N told Salazar to  
23 get out of the car. Huan N got in  
24 the front passenger seat, Salazar  
25 got in the driver's seat, Dang got  
26 in the backseat, and Bird jumped  
27 out. Sau then approached and Dang



1 ordered Bird to get back in the  
2 car. Bird sat of Salazar's lap in  
3 the driver's seat, and Sau got in  
4 the backseat. Because Salazar  
5 could not then drive, the men  
6 ordered Bird out of the car. At  
7 one point Huan N struck Salazar  
8 with the gun. Salazar later had  
9 some swelling around his eyebrow.  
10 They ordered Salazar to drive to  
11 the freeway. About a quarter a  
12 mile away Dang said to stop the car  
13 and the men ordered Salazar to get  
14 out. Police officers stopped the  
15 car just before midnight because  
16 Sau, who was driving, had been  
17 speeding and made three lane  
18 changes without signaling. Sau  
19 said he had no driver's license and  
20 gave a false name to the officers.  
21 Officers found a large amount of  
22 currency in the car and found about  
23 twelve hundred dollars in cash,  
24 surgical gloves and jewelry behind  
25 the bush near the car. The victims  
26 identified the jewelry as having  
27 been taken from them during the

1 robbery. The police found a  
2 handgun on the street where the  
3 stolen car had been and they found  
4 a pair of shoes, a handgun, two  
5 purses, and a stungun in the Lopez  
6 yard. A sock was found on the  
7 fence directly behind the Lopez  
8 home. And I'm going to spell this  
9 first name, it is spelled  
10 A-N-A-N-T-A-P-O-R-N, and the last  
11 name is Field, F-I-E-L-D, testified  
12 that his wallet had been stolen,  
13 and that the wallet had contained  
14 currency from Australia, Brunei,  
15 Hong Kong, Japan, Singapore, and  
16 the Philippines. The Country  
17 Brunei is spelled B-R-U-M-E-I. Chu  
18 was wearing a necklace with a  
19 Buddha pendant when he was  
20 arrested. Field identified the  
21 necklace as one that had been taken  
22 from him during the robbery. One  
23 robbery victim testified in court  
24 that Chu looked familiar, but the  
25 witness was unable to identify Chu  
26 at the preliminary hearing or at a  
27 show up at the night of the

1 robbery.

2 Deputy Commissioner, I think we have completed  
3 the actual Statement of Facts of the crime  
4 itself, we are getting into the court case  
5 itself, now, it's on page eight. Counsel, are  
6 you comfortable that we've gone through --

7 **ATTORNEY LEWIS:** I would agree --

8 **PRESIDING COMMISSIONER INGLEE:** -- the  
9 Statement --

10 **ATTORNEY LEWIS:** -- with you on that.  
11 Yes, it's starting to get into the court case.

12 **PRESIDING COMMISSIONER INGLEE:** Yeah, I  
13 think what we're going to be doing is getting  
14 into testimony and I don't think that's  
15 appropriate for the Statement of Facts.

16 **ATTORNEY LEWIS:** I agree.

17 **PRESIDING COMMISSIONER INGLEE:** They  
18 don't have this as well organized as some  
19 appellates that I have read. All right, now  
20 we're going to ask Mr. Dang to tell us, number  
21 one, do you agree with what was just read in  
22 your participation in this crime?

23 **INMATE DANG:** Yes, sir.

24 **PRESIDING COMMISSIONER INGLEE:** Two:  
25 Would you tell us in your own words what you did  
26 during this crime? You'll be speaking through  
27 the interpreter.

1           **INMATE DANG THROUGH INTERPRETER:** At that  
2 time, I just got to the United States.

3           **DEPUTY COMMISSIONER MOORE:** Could you  
4 move the microphone closer to you? Thank you.

5           **INTERPRETER MEIN:** Sorry.

6           **INMATE DANG THROUGH INTERPRETER:** I went  
7 to school and then really the friends influence  
8 me. I thought -- okay, when I was young I just,  
9 you know, running around. And the friends  
10 suggest to me the wrong thing. They asked me to  
11 go with them for the robbery. I, at that time,  
12 I was young so I don't have, you know, really a  
13 right thinking. I agree with them, because I  
14 get along with friends, made friends by  
15 listening to them. I couldn't, you know, really  
16 judge which is right, which is wrong, therefore,  
17 I am very sorry for whatever I did. But I am  
18 responsible for whatever I did.

19           **PRESIDING COMMISSIONER INGLEE:** I would  
20 like to have Mr. Dang tell us specifically what  
21 did you do during the crime.

22           **INMATE DANG THROUGH INTERPRETER:** In the  
23 robbery my friends have guns; I don't have gun.  
24 They point the gun and order the other people to  
25 lie down. I go and collect money and jewelries.  
26 After that we intend to leave and somebody shout  
27 out that the police are coming. I scare so I

1 run away or left the scene. Therefore I came to  
2 the car where they hold the other people; they  
3 already hold them, hold up the people. At that  
4 point I scared to death so I just jump in the  
5 car; try to escape, I only thinking of escaping  
6 the scene, that's all. The fact that in the  
7 statement say that I ordered the girl to get  
8 back into the car I didn't do that; I only know  
9 that I jump in the backseat of the car, and  
10 after the car running. I saw that's wrong  
11 that's why I asked my friend to let go of the  
12 girl. Okay, since the car left the scene I  
13 realize that I make the second mistake; I did it  
14 wrong twice. It's already late, that's why I  
15 asked them to let go, let the girl go. I'm  
16 sorry, that's the boy who drive the car, not the  
17 girl.

18 **PRESIDING COMMISSIONER INGLEE:** Did he --  
19 did you at any time have a weapon?

20 **INMATE DANG:** No.

21 **PRESIDING COMMISSIONER INGLEE:** Did you  
22 at any time pick up cash or jewelry?

23 **INMATE DANG:** Yes, sir.

24 **PRESIDING COMMISSIONER INGLEE:** What did  
25 you do with the cash and jewelry after you  
26 picked it up?

27 **INMATE DANG THROUGH INTERPRETER:** Okay,

1 when the police stop me I put the money in the  
2 bush, not much, because the police didn't, you  
3 know, check carefully so I have time to do that.

4 PRESIDING COMMISSIONER INGLEE: Did you  
5 retain any -- did you keep any of the money for  
6 yourself?

7 INMATE DANG: No.

8 PRESIDING COMMISSIONER INGLEE: No?

9 INMATE DANG THROUGH INTERPRETER: No.

10 PRESIDING COMMISSIONER INGLEE: Deputy  
11 Commissioner, do you have any questions?

12 DEPUTY COMMISSIONER MOORE: Yes. Which  
13 happened first: the car robbery or the house  
14 robbery?

15 INMATE DANG THROUGH INTERPRETER: The  
16 house robbery.

17 DEPUTY COMMISSIONER MOORE: Okay. And  
18 how many people were in the house and robbed?

19 INMATE DANG THROUGH INTERPRETER: When  
20 went into the home there were four.

21 DEPUTY COMMISSIONER MOORE: Four. How  
22 many guns were there in the house that you saw?

23 INMATE DANG THROUGH INTERPRETER: I don't  
24 remember very clearly, could be two guns.

25 DEPUTY COMMISSIONER MOORE: Why did you  
26 go into the house?

27 INMATE DANG THROUGH INTERPRETER: At that

1 point I just follow my friend. I want to make  
2 friends. I don't think very much and they asked  
3 me to come in; I come in.

4 **DEPUTY COMMISSIONER MOORE:** Did you see  
5 the guns before you went into the house?

6 **INMATE DANG THROUGH INTERPRETER:** Yes.

7 **DEPUTY COMMISSIONER MOORE:** You knew they  
8 were going to do a robbery?

9 **INMATE DANG:** Yes.

10 **DEPUTY COMMISSIONER MOORE:** Today do you  
11 think you did anything wrong in that house?

12 **INMATE DANG:** Yes.

13 **DEPUTY COMMISSIONER MOORE:** What?

14 **INMATE DANG THROUGH INTERPRETER:** Robbery  
15 is wrong, completely wrong. Right at the moment  
16 that I followed to that I feel it's wrong  
17 already.

18 **DEPUTY COMMISSIONER MOORE:** Did your  
19 friends put guns to the victims' heads?

20 **INMATE DANG THROUGH INTERPRETER:** Yes.

21 **DEPUTY COMMISSIONER MOORE:** How many  
22 victims did you take money and jewelry from?

23 **INMATE DANG THROUGH INTERPRETER:** I don't  
24 remember exactly.

25 **DEPUTY COMMISSIONER MOORE:** More than  
26 one?

27 **INMATE DANG:** Yes.

1           DEPUTY COMMISSIONER MOORE: Did you say  
2 anything while you were taking the money and  
3 jewelry?

4           INMATE DANG THROUGH INTERPRETER: I don't  
5 remember, too long ago, 14 years ago.

6           DEPUTY COMMISSIONER MOORE: Did anyone  
7 get hurt during the robbery in the house?

8           INMATE DANG THROUGH INTERPRETER: I think  
9 nobody got hurt.

10          DEPUTY COMMISSIONER MOORE: How long  
11 after the house robbery did you get in the car?

12          INMATE DANG THROUGH INTERPRETER: It  
13 could be from three to five minutes. AT that  
14 point I was so scared I couldn't think about the  
15 exact time.

16          DEPUTY COMMISSIONER MOORE: What were you  
17 afraid of? What were you scared of?

18          INMATE DANG THROUGH INTERPRETER: Police.

19          DEPUTY COMMISSIONER MOORE: Of getting  
20 caught?

21          INMATE DANG: Yes, ma'am.

22          DEPUTY COMMISSIONER MOORE: You weren't  
23 afraid of your friends?

24          INMATE DANG THROUGH INTERPRETER: No, I'm  
25 not afraid of my friends.

26          DEPUTY COMMISSIONER MOORE: How was the  
27 car stopped?



1           INMATE DANG THROUGH INTERPRETER: The  
2 police stopped the car.

3           DEPUTY COMMISSIONER MOORE: When you got  
4 in the car, describe how you and your friends  
5 got in the car.

6           INMATE DANG THROUGH INTERPRETER: At the  
7 time I ran from the house where we robbed, those  
8 my friend already point a gun at the victim.  
9 And I know that they was waiting for me so I  
10 jumped in the car to escape.

11          DEPUTY COMMISSIONER MOORE: How many guns  
12 in the car?

13          INMATE DANG THROUGH INTERPRETER: One.

14          DEPUTY COMMISSIONER MOORE: And what did  
15 you friend do with the gun?

16          INMATE DANG THROUGH INTERPRETER: I think  
17 they throw the gun away.

18          DEPUTY COMMISSIONER MOORE: In the car  
19 with the victim, what did your friend with the  
20 gun?

21          INMATE DANG THROUGH INTERPRETER: They  
22 point the gun at the driver.

23          DEPUTY COMMISSIONER MOORE: Did he hit  
24 the driver with the gun?

25          INMATE DANG THROUGH INTERPRETER: That I  
26 don't remember.

27          DEPUTY COMMISSIONER MOORE: How many

1 victims were in the car?

2 INMATE DANG THROUGH INTERPRETER: I

3 remember only one victim.

4 DEPUTY COMMISSIONER MOORE: Male or

5 female?

6 INMATE DANG THROUGH INTERPRETER: Male.

7 DEPUTY COMMISSIONER MOORE: Was there

8 ever a female in the car?

9 INMATE DANG THROUGH INTERPRETER: Yes.

10 DEPUTY COMMISSIONER MOORE: What happened

11 to her?

12 INMATE DANG THROUGH INTERPRETER: It

13 happened to fast I don't remember. When I jump

14 in the car the car speed off at the same time.

15 So it's so fast I don't remember.

16 DEPUTY COMMISSIONER MOORE: Was the girl

17 in the car when you sped off?

18 INMATE DANG THROUGH INTERPRETER: No.

19 DEPUTY COMMISSIONER MOORE: Did you or

20 your friends tell the male driver: "Take us out

21 of here or I'll kill you"?

22 INMATE DANG THROUGH INTERPRETER: I did

23 hear that order, but I'm not the one who said

24 that.

25 DEPUTY COMMISSIONER MOORE: Where were

26 you sitting in the car?

27 INMATE DANG THROUGH INTERPRETER: In the

1 backseat.

2           **DEPUTY COMMISSIONER MOORE:** Who told the  
3 driver: "Drive faster or I'll kill you. Take  
4 us to the nearest freeway"?

5           **INMATE DANG THROUGH INTERPRETER:** I don't  
6 remember very clearly, but it could be the one  
7 who has the gun at that time, point in time.

8           **DEPUTY COMMISSIONER MOORE:** And the one  
9 who had the gun was a member of the Black Dragon  
10 Gang?

11           **INMATE DANG THROUGH INTERPRETER:** I don't  
12 know.

13           **DEPUTY COMMISSIONER MOORE:** Which one of  
14 the people in the car or the house robbery were  
15 part of the Black Dragon Gang?

16           **INMATE DANG THROUGH INTERPRETER:** I don't  
17 know.

18           **DEPUTY COMMISSIONER MOORE:** Who drove the  
19 car after the victim was kicked out of the car?

20           **INMATE DANG THROUGH INTERPRETER:** Oh, the  
21 person named Sau.

22           **DEPUTY COMMISSIONER MOORE:** Did you stay  
23 in the backseat?

24           **INMATE DANG:** Yes.

25           **DEPUTY COMMISSIONER MOORE:** During that  
26 whole night, from the house robbery to taking  
27 the car and kidnapping the driver, did anyone

1 shoot a gun?

2 **INMATE DANG THROUGH INTERPRETER:** I don't  
3 know during that whole night.

4 **DEPUTY COMMISSIONER MOORE:** Did you hear  
5 a gunshot?

6 (TAPE 1, SIDE A, ENDS)

7 (TAPE 1, SIDE B, BEGINS)

8 **DEPUTY COMMISSIONER MOORE:** We're on side  
9 two, at 9:38. Did you ever tell anyone from the  
10 police or probation that your friends were  
11 members of the Black Dragon Gang?

12 **INMATE DANG THROUGH INTERPRETER:** Okay,  
13 after it got on the news, on the paper, then I  
14 did tell the people.

15 **DEPUTY COMMISSIONER MOORE:** Which people?

16 **INMATE DANG THROUGH INTERPRETER:** The  
17 probation officer. Okay, I didn't know that,  
18 but after I read the paper then I know that they  
19 belong to that gang.

20 **DEPUTY COMMISSIONER MOORE:** Thank you.  
21 I'm done.

22 **PRESIDING COMMISSIONER INGLEE:** I want to  
23 follow up a little bit on what the Deputy  
24 Commissioner was saying, and go over a couple of  
25 items in the Appellate Decision in this regard.  
26 I want to be sure we understand part of what  
27 Mr. Dang's participation was. In the Appellate

1 Decision, it's page six, it says:

2 Huan N pulled a gun on Salazar and  
3 ordered Bird, and that's Rhonda  
4 Bird, female --

5 **INTERPRETER MEIN:** Could you please, he  
6 wanted you to speak a little bit louder.

7 **PRESIDING COMMISSIONER INGLEE:** All  
8 right.

9 Huan N pulled a gun on Salazar and  
10 ordered Bird, that being a female,  
11 Rhonda Bird, to unlock the car.  
12 Huan N told Salazar to get out of  
13 the car. Huan N got in the front  
14 passenger seat, Salazar got in the  
15 driver's seat, Dang got in the  
16 backseat, Bird, that's the female,  
17 jumped out. Sau then approached  
18 and Dang ordered Bird, the female,  
19 to get back in the car. Bird sat  
20 on Salazar's lap in the driver's  
21 seat and Sau got in the backseat.  
22 Because Salazar could not drive,  
23 the men ordered Bird out of the  
24 car. At one point Huan N struck  
25 Salazar with the gun. Salazar  
26 later had a swelling above his  
27 eyes.

1 What my reason for reading this is, is that  
2 there was questions and I'm not sure if they  
3 were answered as the Deputy Commissioner was  
4 speaking. But, yes, there was female in the car  
5 for part of the time, and somebody was stuck and  
6 that's Salazar, and he apparently was stuck on  
7 the forehead or around the eye area.

8 **DEPUTY COMMISSIONER MOORE:** There's  
9 counsel --

10 **ATTORNEY LEWIS:** Yeah he has --

11 **PRESIDING COMMISSIONER INGLEE:** Yes,  
12 please.

13 **INMATE DANG THROUGH INTERPRETER:** Because  
14 I come later, so the thing happened; I didn't  
15 know. When is the gun to hit the man and when  
16 whatever happened the girl, I don't know.

17 **PRESIDING COMMISSIONER INGLEE:** All  
18 right. Is there anything else, Mr. Dang, that  
19 you would like to say concerning the crime?

20 **INMATE DANG THROUGH INTERPRETER:** Yes. I  
21 very sorry for what I did. I responsible for  
22 whatever I did. I am responsibility and I was  
23 young. Okay, if I can retrieve whatever I did  
24 since we were young, I willing to do.

25 **PRESIDING COMMISSIONER INGLEE:** All  
26 right. Counsel, is there anything you would  
27 like to discuss concerning the crime before we

1 move on?

2 **ATTORNEY LEWIS:** I would like to ask my  
3 client some questions with regards to that, to  
4 the crime.

5 **PRESIDING COMMISSIONER INGLEE:** Well,  
6 there is a point of questioning. Is that the  
7 kind of questions you're going to ask, sir? Or  
8 do you want to try to have him elaborate on the  
9 crime itself?

10 **ATTORNEY LEWIS:** I don't want him to  
11 elaborate on the crime. I just want to ask him  
12 some specific questions when that time comes.

13 **PRESIDING COMMISSIONER INGLEE:** All  
14 right. You'll have more than an opportunity to  
15 do that.

16 **ATTORNEY LEWIS:** Thank you. Let's move  
17 on then, if there are no further commits that  
18 Mr. Dang has, then we will move on. Okay? Do  
19 you understand?

20 **INMATE DANG:** Yes.

21 **PRESIDING COMMISSIONER INGLEE:** All  
22 right, good. But don't hesitate. If you have  
23 more to say about the crime, let us know. All  
24 right, we're going to move on now to your  
25 criminal record. You have no juvenile record  
26 and you have no adult convictions. The incident  
27 offense, which you are currently in prison for,

1 was your first reported arrest.

2 INMATE DANG: Yes.

3 PRESIDING COMMISSIONER INGLEE: Let's  
4 move on then to your personal factors. Dang was  
5 born in Vietnam on 4/27/1972. Mr. Dang, when  
6 did you come to the United States?

7 INMATE DANG THROUGH INTERPRETER: '87.

8 PRESIDING COMMISSIONER INGLEE: '87. So  
9 it was considerably after the change of  
10 government there. Okay. "About five years  
11 prior to the crime he left Vietnam and lived  
12 with his father in Hawaii for about one month.  
13 He then came to California to live with his  
14 aunt. He came to California so he could attend  
15 school. He worked part-time in the Montebello  
16 City Parks and Recreation Program. He  
17 occasionally performed job duties at the City  
18 Hall. He denies any past drug or alcohol  
19 abuse." Did you drink alcohol at all?

20 INMATE DANG THROUGH INTERPRETER: Okay, I  
21 do drink alcohol, but not on a regular basis.  
22 When we have a party and things like that.

23 PRESIDING COMMISSIONER INGLEE: What  
24 about narcotics, drugs?

25 INMATE DANG THROUGH INTERPRETER: No, I  
26 hate that.

27 PRESIDING COMMISSIONER INGLEE: Were you



1 a member of a Vietnamese gang?

2 INMATE DANG THROUGH INTERPRETER: No.

3 PRESIDING COMMISSIONER INGLEE: Were you

4 a member of the Black Dragon Gang?

5 INMATE DANG: No.

6 PRESIDING COMMISSIONER INGLEE: Do you

7 have any tattoos?

8 INMATE DANG: No.

9 PRESIDING COMMISSIONER INGLEE: No

10 tattoos at all?

11 (No audible response)

12 PRESIDING COMMISSIONER INGLEE: Was the  
13 Black Dragon Gang, did that come from the former  
14 South Vietnamese military?

15 INMATE DANG THROUGH INTERPRETER: I don't  
16 know.

17 PRESIDING COMMISSIONER INGLEE: You have  
18 a hold by the INS at this time. Is that  
19 correct?

20 INMATE DANG THROUGH INTERPRETER:

21 Correct.

22 PRESIDING COMMISSIONER INGLEE: So if you  
23 were paroled and if there was a -- if you were  
24 able to do so, you then would be deported to  
25 Vietnam. You understand that?

26 INMATE DANG: Yes, sir.

27 PRESIDING COMMISSIONER INGLEE: I doubt

1 at this moment if we have a Treaty for that  
2 specific purpose, but because we have  
3 strengthening relations between the two  
4 countries, that maybe an issue at some time in  
5 the future. But you do understand though that  
6 you do have a hold by the INS?

7 INMATE DANG: Yes, sir.

8 PRESIDING COMMISSIONER INGLEE: All  
9 right. Anything else about your personal life  
10 or your family or anything that you would like  
11 to discuss in regard to this crime?

12 INMATE DANG: No.

13 PRESIDING COMMISSIONER INGLEE: Is there  
14 anything about your personal life that lead you  
15 to this crime?

16 INMATE DANG: No.

17 PRESIDING COMMISSIONER INGLEE: All  
18 right. Let's go on to your parole plans. Your  
19 official plan at this time is to reside with  
20 your brother, James Dang, and that's in Tustin,  
21 California. Is that correct?

22 INMATE DANG: Yes, sir.

23 PRESIDING COMMISSIONER INGLEE: Is he  
24 still living in Tustin, California?

25 INMATE DANG: Yes, sir.

26 PRESIDING COMMISSIONER INGLEE: You're  
27 employment: "Dang plans to work for his brother

1 James Dang at his beauty salon. He will sweep  
2 floor and wash hair until he gets his license to  
3 cut hair." Although it may not be well know, I  
4 believe the licensing for hairdressing and that  
5 type of service is fairly strict. You may have  
6 a problem as a person on parole to be able to  
7 get a license at this time. Do you understand  
8 that?

9 **INMATE DANG:** Yes, sir.

10 **PRESIDING COMMISSIONER INGLEE:** That may  
11 be a problem. I'm not saying it is; I'm just  
12 saying it may be a problem for you. Certainly  
13 you can sweep floor, and certainly you can be a  
14 janitor. But I'm talking about actually  
15 participating in the activity of hairdressing,  
16 barber and such; you have to be licensed. And  
17 that's something -- yes?

18 **INMATE DANG THROUGH INTERPRETER:** The  
19 reason, you know, since it was in the prison, I  
20 do work as a hair, cutting, a hairdresser.

21 **PRESIDING COMMISSIONER INGLEE:** Barber?

22 **INMATE DANG THROUGH INTERPRETER:** Barber.  
23 So I know a little bit, that's the only  
24 experience that I have.

25 **PRESIDING COMMISSIONER INGLEE:** Okay.  
26 Well, I'm talking about the license, actually  
27 being able to get a license --

1           INMATE DANG: Yes.

2           PRESIDING COMMISSIONER INGLEE: -- while  
3 you're on parole. I'm not sure about that, but  
4 that is something that you need to consider.

5           INMATE DANG: Yes.

6           PRESIDING COMMISSIONER INGLEE: There may  
7 be a problem.

8           INMATE DANG: Yes, sir.

9           PRESIDING COMMISSIONER INGLEE: All  
10 right, let's take a look at your letters. You  
11 have support letters from your family. You have  
12 a letter from Dang Lan Duy, to spell the name  
13 again, Dang, D-A-N-G, it's capital L-A-N,  
14 capital D-U-Y, and that is your father.

15          INMATE DANG: Yes, sir.

16          PRESIDING COMMISSIONER INGLEE: All  
17 right. And he currently lives in Hawaii. He  
18 sends a very nice letter showing his support for  
19 your parole. You have a letter from Long T.  
20 Dang, Long being spelled, capitol L-O-N-G,  
21 capital T, middle initial, and then again the  
22 last name Dang, and this is your aunt. Is that  
23 correct?

24          INMATE DANG: Yes, sir.

25          PRESIDING COMMISSIONER INGLEE: And she  
26 lives in Mesquite, Texas?

27          INMATE DANG: Yes, sir.

1           **PRESIDING COMMISSIONER INGLEE:** Mesquite,  
2 being spelled capital M-E-S-Q-I-T-E. She says  
3 that initially she was very angry at you.

4           **INMATE DANG THROUGH INTERPRETER:** I made  
5 all my family member very mad at me. But when I  
6 grew up in this environment and I wrote to them  
7 and asked them to send this and they have send  
8 letter to me.

9           **PRESIDING COMMISSIONER INGLEE:** Well, I  
10 hadn't finished the letter yet. She initially  
11 said she was mad at you.

12           **INMATE DANG:** Yes.

13           **PRESIDING COMMISSIONER INGLEE:** But she  
14 has changed and she supports your parole.

15           **INMATE DANG:** Yes, sir.

16           **PRESIDING COMMISSIONER INGLEE:** Okay.  
17 And again that's Long T. Dang.

18           **INMATE DANG:** Yes, sir.

19           **PRESIDING COMMISSIONER INGLEE:** We have a  
20 letter from your brother. His name is Huy Duy  
21 Dang, and that's spelled capital H-U-Y, capital  
22 D-U-Y, and again D-A-N-G. And again, Mr. Dang,  
23 I apologize for my terrible pronunciation of the  
24 Vietnamese language, but you have to bear with  
25 me on this. This is your brother. Does he live  
26 in Tustin or Garden Grove?

27           **INMATE DANG:** That's the same one,

1 Tustin, yes.

2           **PRESIDING COMMISSIONER INGLEE:** Well, he  
3 says: "I am his brother. I live in Garden  
4 Grove and own an upscale beauty salon."

5           **INMATE DANG THROUGH INTERPRETER:** It's in  
6 Orange County.

7           **PRESIDING COMMISSIONER INGLEE:** Oh, I  
8 live in Orange County. I know Tustin; I know  
9 Garden Grove; I know Westminster; I know Little  
10 Saigon. I'm very familiar with it, but all I'm  
11 saying is here, when you first referenced it you  
12 say he lives in Tustin.

13           **INMATE DANG:** Yes.

14           **PRESIDING COMMISSIONER INGLEE:** But his  
15 letter -- and it may be a very small point, but  
16 he does say in his letter: "I live in Garden  
17 Grove," which is not far from Tustin. But where  
18 does he live?

19           **INMATE DANG THROUGH INTERPRETER:** Okay,  
20 the shop is in Tustin and the home residence is  
21 in Garden Grove.

22           **PRESIDING COMMISSIONER INGLEE:** All  
23 right, so he lives in Garden Grove?

24           **INMATE DANG:** Yes, sir.

25           **PRESIDING COMMISSIONER INGLEE:** He works  
26 in Tustin?

27           **INMATE DANG:** Yes, sir.

1           **PRESIDING COMMISSIONER INGLEE:** His  
2 business is in Tustin?

3           **INMATE DANG:** Yes, sir.

4           **PRESIDING COMMISSIONER INGLEE:** All  
5 right, he says throughout the up bringing you  
6 have been very close. You have expressed your  
7 remorse over the incident that happened. He  
8 then says: "Please take all these facts into  
9 consideration when determining his suitability  
10 for parole. In addition he has a very  
11 supportive family. I will personally be  
12 responsible for his emotional, financial well-  
13 being. I have offered him shelter in my  
14 residence, as well as a stable job in my  
15 business. Further I know for a fact that when  
16 his parole is granted he will be a model parolee  
17 and productive member of society, I can  
18 guarantee you. I know the statistics for parole  
19 return is high, please let my brother's story be  
20 an successful one and a factor in reducing the  
21 percentage of parolee returnees." And that's  
22 your brother. So you would be living in Garden  
23 Grove, California, and you would be working in  
24 Tustin.

25           **INMATE DANG:** Yes.

26           **PRESIDING COMMISSIONER INGLEE:** All  
27 right, is that going to be truly a full-time

1 job?

2 **INMATE DANG:** Yes, sir.

3 **PRESIDING COMMISSIONER INGLEE:** If you  
4 cannot be a hairdresser initially, because you  
5 may have a licensing problem, and that's  
6 something that you need to consider, is there  
7 going to be enough work for you to be able to be  
8 supported by your brother until your parole  
9 allows you to be licensed?

10 **INMATE DANG:** Yes, sir.

11 **PRESIDING COMMISSIONER INGLEE:** Because  
12 as you probably know, if you receive a grant  
13 today or at sometime in the future, and your  
14 brother is still offering these services, of  
15 course, the investigators will talk to your  
16 brother to be sure that you do have a stable  
17 real job, a stable real job. Because he owns  
18 probably a small shop, doesn't he?

19 **INMATE DANG THROUGH INTERPRETER:** Ok, as  
20 far as I hear from my brother he said that his  
21 shop is pretty big and business is good.

22 **PRESIDING COMMISSIONER INGLEE:** Okay, how  
23 many chairs does he have in his shop?

24 **INMATE DANG THROUGH INTERPRETER:** I  
25 didn't ask him clearly.

26 **PRESIDING COMMISSIONER INGLEE:** Okay.  
27 All right, let's go on. We have a letter here



1 from your sister and that is Phuong,  
2 P-H-U-O-N-G, P. Dang. And she sends you a very  
3 supportive letter and she lives in San Antonio,  
4 Texas. And that's that. All right, with that  
5 we will now -- excuse me, I have one more thing  
6 I must do and that is to talk about the 3042  
7 letters. These are letters that go out from the  
8 prison to the various agencies that dealt with  
9 your incarceration. And in this regard they  
10 sent out five letters to the police and court,  
11 courts. They were mailed on 4/14/2006. We did  
12 not receive a reply back; however, we have a  
13 representative here from the San Bernardino  
14 District Attorney's Office, who will make a  
15 presentation in a few minutes. With that I will  
16 turn this, turn the Hearing over to the Deputy  
17 Commissioner who will now go through the post-  
18 conviction factors.

19 **DEPUTY COMMISSIONER MOORE:** Mr. Dang, I'm  
20 going to review with you what you've  
21 accomplished since arriving in prison in 1992, I  
22 believe is when you were, when you finally came  
23 to prison. Is that right?

24 **INMATE DANG:** Yes.

25 **DEPUTY COMMISSIONER MOORE:** Okay, and I'm  
26 going to review with you what you've  
27 accomplished in the past 14 years, almost 14

1 years. And as I go through it I may have some  
2 questions for you, and I may ask you for some  
3 clarification. So that's what my job is here  
4 today. You arrived here in Soledad at CTF in  
5 October of 1998.

6 **INMATE DANG:** Yes, ma'am.

7 **DEPUTY COMMISSIONER MOORE:** And this is  
8 your Initial Hearing. You did have what they  
9 call a document review in 2003, and it was  
10 suggested that you become and remain  
11 disciplinary free, no write ups; obtain positive  
12 write ups, good write ups, chronos; that you  
13 upgrade vocations, learn a trade; and that you  
14 also upgrade educationally, but completing the  
15 GED; and you participate in the psychological  
16 report with the doctors.

17 **INMATE DANG:** Yes.

18 **DEPUTY COMMISSIONER MOORE:** That's what  
19 was recommended in 2003. Currently, your  
20 classification score is the lowest that you can  
21 get; it's a 19, and you obtained that score in  
22 August of 2002. You current custody level is at  
23 Medium A, and you obtained that level in March  
24 of 2000. Your 812, which talks about gangs,  
25 shows you as an associate of the Black Dragon  
26 Gang, as a result of this incident. There are  
27 no write-ups of any other gang involvement since

1 you've been in prison. Your current work  
2 assignment is the Unit Porter.

3 INMATE DANG: Yes.

4 DEPUTY COMMISSIONER MOORE: And you've  
5 been in that position since April of 2001, so  
6 for five years now.

7 INMATE DANG: Yes.

8 DEPUTY COMMISSIONER MOORE: And you are  
9 receiving above average evaluations in that  
10 position.

11 INMATE DANG: Yes.

12 DEPUTY COMMISSIONER MOORE: Prior to  
13 being a Unit Porter you worked in culinary, as  
14 an apprentice cook?

15 INMATE DANG: As a cook.

16 DEPUTY COMMISSIONER MOORE: And you  
17 received -- you worked in that position for  
18 about one-year, and you received above average  
19 and excellent reviews in that area. You have  
20 obtained your GED. You obtained that here at  
21 CTF in September of 2003. Congratulations,  
22 that's good work. You're latest testing for  
23 reading level grade placement showed at 9.6.  
24 You currently have no vocational training, yet,  
25 and no certificates, yet. I did find in the  
26 file that you had attended AA for two years in  
27 '95 and '96. You also in 2004, June of 2004,

1 completed the 13-Week Impact Workshop.

2 INMATE DANG: Yes.

3 DEPUTY COMMISSIONER MOORE: When you did  
4 that workshop what did you learn from it?

5 INMATE DANG THROUGH INTERPRETER: I  
6 learned a lot during that time. What I did to  
7 the victims and the victim too and the family  
8 member of the victim. I leaned that that's very  
9 wrong whatever we did.

10 DEPUTY COMMISSIONER MOORE: What impact -  
11 - what affect did you have, have you learned  
12 that you had on your victims?

13 INMATE DANG THROUGH INTERPRETER: If some  
14 member of the family or they died they have to  
15 suffer. I hear that and I don't feel  
16 comfortable myself.

17 DEPUTY COMMISSIONER MOORE: What do the  
18 victims suffer from?

19 INMATE DANG THROUGH INTERPRETER: Yeah,  
20 they lost the one that they love.

21 DEPUTY COMMISSIONER MOORE: In your case,  
22 what did the victims suffer from? From what you  
23 did.

24 INMATE DANG THROUGH INTERPRETER: I think  
25 we made them -- the main thing is the fear that  
26 we create in them.

27 DEPUTY COMMISSIONER MOORE: Okay. I also

1 note in your record, in your file that you have  
2 a, what we call a laudatory chrono, a very  
3 positive chrono written in April of 2000 by  
4 Supervising Cook I, and that was Choisset,  
5 C-H-O-I-S-N-E-T. I may not be pronouncing it  
6 right, but it was your supervisor when you were  
7 a cook. Indicating that in your work assignment  
8 you were very positive and had a very good and  
9 very good positive attitude. In looking at your  
10 disciplinary history, you have one 115 and that  
11 was in July 1993, and that was at Lancaster for  
12 disobeying a direct order; I believe it was  
13 being told to stand for count and you refused.  
14 The -- did you -- you look like you may have a  
15 question about that?

16 **INMATE DANG THROUGH INTERPRETER:** Okay,  
17 in that incident I'm half awake, half asleep  
18 that number one. And number two, they call on  
19 counting whatever unexpectedly so half of the  
20 building people really don't know what's going  
21 on.

22 **DEPUTY COMMISSIONER MOORE:** Okay. You  
23 also have seven 128s, the last one occurring in  
24 June of 1998, involving being absent from class  
25 at Pleasant Valley State Prison.

26 **INMATE DANG:** Yes.

27 **DEPUTY COMMISSIONER MOORE:** In reviewing

1 your 128s, the next one was in May of '97 and it  
2 was, again, not attending class, not feeling  
3 well and not reporting; in March of '97, leaving  
4 class early; in March of '94, not standing for  
5 count prior to lockup; in March of '93, you went  
6 to go pick up medication and you failed to  
7 return to class, you spent time on the yard  
8 talking, and that was in March of '93; in  
9 October of '92, you didn't attend your education  
10 school assignment for no noted reason; and in  
11 September of '92, you couldn't stay awake in  
12 class and you had been counseled several times.  
13 So I would note that there are no violence, no  
14 drugs or alcohol. And that there is a INS hold  
15 on you at this time. Okay, I think that may  
16 cover the Board Report, let me just double  
17 check. I think at this time, is there anything  
18 that you would like to add before I go to the  
19 psychological report. Is there anything that I  
20 missed or overlooked?

21 **INMATE DANG THROUGH INTERPRETER:** I feel  
22 that they put it in that 128, it happened  
23 because at that point in time I was not that  
24 mature enough when I first got into jail. Since  
25 the time a lot of thinking.

26 **DEPUTY COMMISSIONER MOORE:** Learning what  
27 was expected of you.

1           **INMATE DANG THROUGH INTERPRETER:** Okay,  
2 now I've got older and more mature and I know my  
3 responsibility.

4           **DEPUTY COMMISSIONER MOORE:** Okay. Now  
5 I'm going to talk to you about what's in the  
6 psychological evaluation that's dated May 8,  
7 2006. Do you remember meeting with the doctor?

8           **INMATE DANG:** Yes.

9           **DEPUTY COMMISSIONER MOORE:** Okay. And  
10 that was Dr. Lance Portnoff, P-O-R-T-N-O-F-F.  
11 Also signing off on the report is Dr. Zika,  
12 Z-I-K-A. You indicated to the doctors that you  
13 arrived in the United States at the age of 15  
14 and at the time of the crime you were 19 years  
15 old. Is that right?

16           **INMATE DANG:** Yes.

17           **DEPUTY COMMISSIONER MOORE:** Okay. You  
18 completed the eleventh grade in the United  
19 States before dropping out. And as I've already  
20 indicated you did obtain your GED while here at  
21 CTF. You indicated under Employment History,  
22 that you are currently on multiple vocational  
23 waiting lists.

24           **INMATE DANG:** Yes.

25           **DEPUTY COMMISSIONER MOORE:** Because you  
26 wish to increase your vocational skills and  
27 learn one. Is that correct?

1           INMATE DANG:   Yes.

2           DEPUTY COMMISSIONER MOORE:   Which waiting  
3 lists are you on?

4           INMATE DANG THROUGH INTERPRETER:   I sign  
5 on all the programs.

6           DEPUTY COMMISSIONER MOORE:   Do you know  
7 which ones?

8           INMATE DANG THROUGH INTERPRETER:   Print  
9 shop and computer and because there are too many  
10 people signing for that they don't have enough  
11 room for me.

12          DEPUTY COMMISSIONER MOORE:   As you  
13 indicated earlier, you deny ever using drugs, no  
14 drugs and you deny abusing alcohol. Did you  
15 ever get drunk?

16          INMATE DANG THROUGH INTERPRETER:   Maybe  
17 one time.

18          DEPUTY COMMISSIONER MOORE:   You also told  
19 the doctor that you were attending Alcoholics  
20 Anonymous and Narcotics Anonymous but that you  
21 stopped because you did not have anything in  
22 common with the other people that were going to  
23 the meetings. Is that true?

24          INMATE DANG:   No, ma'am.

25          DEPUTY COMMISSIONER MOORE:   You had, not  
26 too long ago you had arthroscopy knee surgery on  
27 both knees --



1           INMATE DANG:   Yes.

2           DEPUTY COMMISSIONER MOORE:   Is that  
3   right?

4           INMATE DANG:   Yes, ma'am.

5           DEPUTY COMMISSIONER MOORE:   And you're  
6   recovering from that pretty well.

7           INMATE DANG:   It still hurt.

8           DEPUTY COMMISSIONER MOORE:   Okay.   Under  
9   Clinical Assessment, when you arrived for your  
10   interview, the doctors found you to be  
11   appropriately groomed; you were very  
12   cooperative; and you appeared to be of your  
13   stated age.   And Current Diagnostic Impressions,  
14   there were no diagnosis of any mental health  
15   concerns.   Your GAF score was 85.   They  
16   discussed with you the crime and you indicated  
17   that at the time that these crimes were  
18   committed that you had dropped out of school.

19          INMATE DANG:   Yes.

20          DEPUTY COMMISSIONER MOORE:   You had run  
21   away from home.

22          INMATE DANG:   Yes.

23          DEPUTY COMMISSIONER MOORE:   And you were  
24   living with these friends.

25          INMATE DANG:   That's right.

26          DEPUTY COMMISSIONER MOORE:   Why did you  
27   drop out of school and run away from home?

1           INMATE DANG THROUGH INTERPRETER: At that  
2 point in time I was young and really liked fun.

3           DEPUTY COMMISSIONER MOORE: Say that last  
4 part again.

5           INMATE DANG THROUGH INTERPRETER: I was  
6 young and I liked fun, fun things.

7           DEPUTY COMMISSIONER MOORE: What did you  
8 do that was fun with your friends?

9           INMATE DANG THROUGH INTERPRETER: Okay,  
10 things like, you know, go to the coffee shop and  
11 dancing club and things like that.

12          DEPUTY COMMISSIONER MOORE: You told the  
13 doctor that your friends talked you into doing  
14 the robber where gambling was going on in the  
15 house. Is that true?

16          INMATE DANG: Yes, ma'am.

17          DEPUTY COMMISSIONER MOORE: You said that  
18 you weren't thinking straight and when you  
19 friends asked you to go along you just agreed.  
20 You denied having a gun and when your friends  
21 drew there guns and started to do a robbery of  
22 the people there that that's when you  
23 participated and also realized that it was a  
24 mistake.

25          INMATE DANG: Yes, ma'am.

26          DEPUTY COMMISSIONER MOORE: You didn't  
27 know what you could do at the time even though

1 you knew it was a mistake. So you followed your  
2 friends, the robbers, outside after the money  
3 and jewelry were taken. You also talked about  
4 the kidnapping, you told the doctors that you  
5 came along to the car after your friends had  
6 already pulled the gun and had the car under  
7 control.

8 **INMATE DANG:** Yes, ma'am.

9 **DEPUTY COMMISSIONER MOORE:** When asked  
10 why you participated in these crimes, you told  
11 the doctor that you "were just young, stupid and  
12 listened to the wrong people. That you wished  
13 that you would have listened to your aunt  
14 instead of your friends and not let yourself be  
15 talked into doing this."

16 **INMATE DANG:** Yes, ma'am.

17 **DEPUTY COMMISSIONER MOORE:** With regard  
18 to the offense, you said that you "were scared  
19 and trying to get away and not thinking clearly  
20 when you joined your companions in the car. But  
21 now that you are older you know right from wrong  
22 and no one is going to talk you into doing  
23 anything stupid. If you could do it over again  
24 you would never have come to California but  
25 would have remained in Hawaii."

26 **INMATE DANG:** Yes, ma'am.

27 **DEPUTY COMMISSIONER MOORE:** "You realize

1 that the victims were scared during the offenses  
2 and you are glad they weren't harmed, but you  
3 feel bad for them." The doctor agrees with your  
4 assessment of the factors that caused your  
5 crime, including the ability to resist pressure  
6 from your friends and that you couldn't see what  
7 was going to happen and you had little  
8 appreciation at the time for right versus wrong.  
9 Under Assessment of Dangerousness, you have not  
10 demonstrated any dangerous behavior while you've  
11 been incarcerated, having received no violence  
12 or aggressive disciplinary write-ups. Your  
13 violence potential in prison is minimal. "If  
14 released your violence potential is estimated to  
15 be low in comparison to the average inmate,  
16 probably no greater than the average citizen."  
17 You don't have any criminal history was  
18 considered as a factor, and you have no  
19 subsequent history in prison. You have, to the  
20 doctors, expressed an appropriate degree of  
21 insight and remorse. Significant risk factors  
22 and precursors to violence the doctor notes that  
23 you were youthful and susceptible, was the word  
24 he used, to peer pressure, to the pressure of  
25 your friends. "An inability to foresee  
26 consequences and only a vague sense of right  
27 versus wrong." The doctor, I believe, makes an

58.

1 error in the number of years in his report,  
2 indicated that "in the 20 years since the  
3 offense," and we're not at 20 years since the  
4 offense, we're coming up on 15 years. So there  
5 is an error in the report. He indicates that  
6 you have managed to steer clear of behavioral  
7 problems, and I would suggest 128s are  
8 considered behavioral problems, and that the  
9 period of time is more along the lines of eight  
10 years since your last 128 and not 20 years. The  
11 doctor has the opinion that you appear to have  
12 the ability to resist, to not go along with  
13 negative peer influences, to understand  
14 consequences for your choices, and to know the  
15 difference between right and wrong. And it  
16 appears that the risk factors for violence that  
17 apply to you at the age of 19 no longer apply at  
18 the age of 34. The doctor says that there are  
19 no recommendations from a mental health point of  
20 view. With that, that is the psychological  
21 report, Commissioner.

22 **PRESIDING COMMISSIONER INGLEE:** Thank you  
23 very much. Before we move on, I want to note  
24 that in going through some documents here, a  
25 page had inadvertently been stuck on another  
26 documents, and it is a page which deals with  
27 other commitment offenses that were charged

1 against Mr. Dang. Consequently, I want to read  
2 those into the record now. Yes?

3 **INMATE DANG THROUGH INTERPRETER:** He  
4 would like for you to speak a little bit louder.

5 **PRESIDING COMMISSIONER INGLEE:** All  
6 right. These are other commitment offenses that  
7 I failed to read into the record when the  
8 Hearing first started. What happened was that  
9 the document became attached to another piece of  
10 paper that we have here and I found it during  
11 the post conviction discussion. So I'm going to  
12 read this into the record right now. Along with  
13 the incident offense that you are currently in  
14 prison for, that being kidnap, robbery while  
15 armed, you also were charged with robbery-first-  
16 degree, Penal Code CPC212.5A, San Bernardino,.  
17 same case number, that being SCR55894. You were  
18 also charged with being armed, P.C. 12022(a)(1),  
19 again same county and same case number, and that  
20 was count one; robbery-first-degree,  
21 P.C. 212.5(a), San Bernardino, again, same case  
22 number, that's count three; robbery-first-  
23 degree, P.C. 212.5(a), same county, same case  
24 number, count four; robbery-first-degree,  
25 P.C. 212.5(a), same county, same case number,  
26 count five; again, robbery-first-degree,  
27 P.C. 212.5(a), same county, same case number,

1 that's count six; robbery-first-degree,  
2 P.C. 212.5(a), same county, same case number,  
3 that's count seven; robbery-first-degree,  
4 P.C. 212.5(a), same county, same case number,  
5 that's count eight; robbery-first-degree,  
6 P.C. 212.5(a), San Bernardino, again, same case  
7 number, that's count nine; finally, robbery-  
8 first-degree, P.C. 212.5(a), same county, same  
9 case number, that's count ten. Okay, I have no  
10 questions of the inmate. Does the district  
11 attorney have any questions?

12 **DEPUTY DISTRICT ATTORNEY BULLOCH:** Yes, I  
13 would like the inmate to explain to the Panel  
14 how and when they planned the robbery.

15 **PRESIDING COMMISSIONER INGLEE:** When did  
16 you plan the robbery?

17 **INMATE DANG THROUGH INTERPRETER:** That  
18 happened early that night when they said that we  
19 need some money to pay for the dancing and they  
20 called me to join them.

21 **PRESIDING COMMISSIONER INGLEE:** So you  
22 planned the home robbery the same day, the same  
23 night?

24 **INMATE DANG THROUGH INTERPRETER:** That  
25 only day that's happened.

26 **PRESIDING COMMISSIONER INGLEE:** Okay.

27 **DEPUTY DISTRICT ATTORNEY BULLOCH:** And

1 where was this planned at?

2 PRESIDING COMMISSIONER INGLEE: Where did  
3 this planning take place?

4 INMATE DANG THROUGH INTERPRETER: When I  
5 was in L.A.

6 PRESIDING COMMISSIONER INGLEE: Say that  
7 again, please?

8 INMATE DANG THROUGH INTERPRETER: In L.A.

9 PRESIDING COMMISSIONER INGLEE: In Los  
10 Angeles.

11 INMATE DANG THROUGH INTERPRETER: In Los  
12 Angeles.

13 PRESIDING COMMISSIONER INGLEE: It took  
14 place in Los Angeles.

15 INMATE DANG THROUGH INTERPRETER: Yes.

16 PRESIDING COMMISSIONER INGLEE: But what  
17 specific location? At someone home? At a  
18 business? Where did it take place?

19 INMATE DANG THROUGH INTERPRETER: Where I  
20 lived.

21 PRESIDING COMMISSIONER INGLEE: Where you  
22 lived?

23 INMATE DANG: Yes.

24 PRESIDING COMMISSIONER INGLEE: In Los  
25 Angeles. All right.

26 DEPUTY DISTRICT ATTORNEY BULLOCH: Did he  
27 personally borrow the car to drive all the



1 suspects to the crime scene?

2           **PRESIDING COMMISSIONER INGLEE:** Did you  
3 borrow the car that drove the suspects to the  
4 crime scene?

5           **INMATE DANG:** Yes, sir.

6           **PRESIDING COMMISSIONER INGLEE:** Okay.  
7 That was from your sister?

8           **INMATE DANG THROUGH INTERPRETER:** From  
9 the landlord where I rented.

10           **PRESIDING COMMISSIONER INGLEE:** From the  
11 landlord.

12           **INMATE DANG THROUGH INTERPRETER:** Yeah.

13           **DEPUTY DISTRICT ATTORNEY BULLOCH:** May I  
14 continue?

15           **PRESIDING COMMISSIONER INGLEE:**  
16 Certainly.

17           **DEPUTY DISTRICT ATTORNEY BULLOCH:** Was  
18 the car borrowed for the sole purpose of  
19 committing this robbery?

20           **PRESIDING COMMISSIONER INGLEE:** Was the  
21 car borrowed to commit the robbery?

22           **INMATE DANG THROUGH INTERPRETER:** Yes.

23           **PRESIDING COMMISSIONER INGLEE:** Yes.

24           **DEPUTY DISTRICT ATTORNEY BULLOCH:** At the  
25 time he borrowed the car and was planning the  
26 robbery, did he know that one or more of his  
27 associates was part of the Black Dragon Gang?

1           **PRESIDING COMMISSIONER INGLEE:** Did you  
2 know that members of the group that committed  
3 the robbery were members of the Black Dragon  
4 Gang?

5           **INMATE DANG THROUGH INTERPRETER:** Okay, I  
6 didn't know until I read in the paper that they  
7 belong to the Black Dragon.

8           **DEPUTY DISTRICT ATTORNEY BULLOCH:** At the  
9 time of the planning of the robbery did they all  
10 agree not to bring any identification or I.D.  
11 cards with them when they committed the robbery?

12           **PRESIDING COMMISSIONER INGLEE:** Did you  
13 plan to not bring any identification with you  
14 when you, all the participates, to not bring any  
15 identification with you when you committed the  
16 robbery?

17           **INMATE DANG THROUGH INTERPRETER:** That I  
18 don't know.

19           **PRESIDING COMMISSIONER INGLEE:** Was it  
20 discussed?

21           **INMATE DANG THROUGH INTERPRETER:** No.

22           **DEPUTY DISTRICT ATTORNEY BULLOCH:** What  
23 roll did he play in trying to contact the  
24 victims as the trial was going on to intimidate  
25 them from coming in to testify?

26           **PRESIDING COMMISSIONER INGLEE:** What role  
27 did you play in contacting victims during the

1 trial in order to intimidate them?

2 INMATE DANG THROUGH INTERPRETER: Okay, I  
3 hear that one in court. I know nothing about  
4 whatever planning that they have.

5 DEPUTY DISTRICT ATTORNEY BULLOCH: Can he  
6 explain --

7 DEPUTY COMMISSIONER MOORE: I'm going to  
8 just pause because we're going to turn the  
9 tapes. Thank you.

10 (TAPE 1, SIDE B, ENDS)

11 (TAPE 2, SIDE A, BEGINS)

12 DEPUTY COMMISSIONER MOORE: We're back on  
13 record at 10:25.

14 DEPUTY DISTRICT ATTORNEY BULLOCH: Can he  
15 explain that after the -- strike that. Can he  
16 explain why the victims' phone numbers were  
17 found in his cell after they had been called and  
18 threatened to come in to testify.

19 PRESIDING COMMISSIONER INGLEE: Why were  
20 telephone numbers of the victims' who were  
21 threatened found in your cell?

22 INMATE DANG THROUGH INTERPRETER: I  
23 didn't know that in my home I have that phone  
24 number.

25 PRESIDING COMMISSIONER INGLEE: I'm  
26 sorry, say that again, please.

27 INMATE DANG THROUGH INTERPRETER: I don't

1 know why I have the phone number in the cell. I  
2 don't know why that phone number was in the  
3 cell.

4 **PRESIDING COMMISSIONER INGLEE:** All  
5 right.

6 **DEPUTY DISTRICT ATTORNEY BULLOCH:** Does  
7 he agree that those phone numbers were found in  
8 his cell?

9 **PRESIDING COMMISSIONER INGLEE:** Do you  
10 agree that the phone numbers were found in your  
11 cell?

12 **INMATE DANG THROUGH INTERPRETER:** I don't  
13 know that I have that phone number.

14 **DEPUTY DISTRICT ATTORNEY BULLOCH:** I'll  
15 just refer the Panel to page eight of the  
16 Appellate Decision, the footnotes, footnote five  
17 references the search of his cell right after  
18 the victims were threatened, where it discloses  
19 that the phone numbers were found in his cell.  
20 If it's all right with the Panel I would like to  
21 move on.

22 **PRESIDING COMMISSIONER INGLEE:**  
23 Certainly.

24 **DEPUTY DISTRICT ATTORNEY BULLOCH:** If the  
25 inmate recognized immediately as he found  
26 himself embroiled in this crime that it was  
27 wrong why did he continue to lie to the police

1 after the crime was discovered?

2           **PRESIDING COMMISSIONER INGLEE:** Why did  
3 you continue to lie to the police after the  
4 crime was discovered?

5           **INMATE DANG THROUGH INTERPRETER:** Because  
6 at that point in time I was young so I couldn't  
7 really think. The thing happened and I tried to  
8 get away; I tried to avoid.

9           **DEPUTY DISTRICT ATTORNEY BULLOCH:** Did he  
10 feel the same way when he talked to the  
11 probation officer after he was convicted and  
12 tried to mislead and deceive them?

13           **PRESIDING COMMISSIONER INGLEE:** Did you  
14 also mislead the probation officer when he first  
15 discussed the issues with you?

16           **INMATE DANG THROUGH INTERPRETER:** I don't  
17 remember.

18           **DEPUTY DISTRICT ATTORNEY BULLOCH:** Did he  
19 testify in the trial?

20           **PRESIDING COMMISSIONER INGLEE:** Did you  
21 testify during the trial?

22           **INMATE DANG THROUGH INTERPRETER:** Yes.

23           **DEPUTY DISTRICT ATTORNEY BULLOCH:** Did he  
24 tell the truth?

25           **PRESIDING COMMISSIONER INGLEE:** Did you  
26 tell the truth?

27           **INMATE DANG THROUGH INTERPRETER:** No, I

1 didn't tell the truth.

2           **DEPUTY DISTRICT ATTORNEY BULLOCH:** At  
3 what point in the last 14 years did he come to  
4 the conclusion that he had done something wrong?

5           **PRESIDING COMMISSIONER INGLEE:** At what  
6 point in your incarceration over the last 14  
7 years did you make the decision that you had  
8 done something that was wrong?

9           **INMATE DANG THROUGH INTERPRETER:** Around  
10 when I was 30 years old, three zero years old.

11           **DEPUTY DISTRICT ATTORNEY BULLOCH:** Has  
12 the inmate done anything to pay the \$6,000 in  
13 restitution?

14           **PRESIDING COMMISSIONER INGLEE:** Have you  
15 done anything to repay the \$6,000 in  
16 restitution?

17           **INMATE DANG THROUGH INTERPRETER:** I did  
18 go to work and my people did send me some money.

19           **PRESIDING COMMISSIONER INGLEE:** Did he  
20 actually provide -- did he actually repay any of  
21 the \$6,000 in restitution?

22           **INMATE DANG THROUGH INTERPRETER:** I did  
23 pay some?

24           **PRESIDING COMMISSIONER INGLEE:** How much?

25           **INMATE DANG THROUGH INTERPRETER:** Over  
26 one thousand.

27           **DEPUTY DISTRICT ATTORNEY BULLOCH:** I have

1 no further questions.

2 PRESIDING COMMISSIONER INGLEE: All  
3 right. Counsel.

4 ATTORNEY LEWIS: Yes, I have a couple.  
5 Your accomplices Sau and Chu are they Chinese?

6 INMATE DANG: They Chinese.

7 ATTORNEY LEWIS: Answer in Vietnamese  
8 even though I'm asking the question. You are  
9 Vietnamese? Is that correct?

10 INMATE DANG THROUGH INTERPRETER: Yes.

11 ATTORNEY LEWIS: Now with regards to the  
12 Black Dragon Gang, is that comprised only of  
13 Chinese people?

14 INMATE DANG THROUGH INTERPRETER: I don't  
15 know.

16 ATTORNEY LEWIS: Are you a member of the  
17 Black Dragon Gang?

18 INMATE DANG THROUGH INTERPRETER: No.

19 ATTORNEY LEWIS: How is that your  
20 accomplices reached Mr. Salazar's car before you  
21 got there?

22 INMATE DANG THROUGH INTERPRETER: Could  
23 you please repeat the question?

24 ATTORNEY LEWIS: Mr. Salazar was the  
25 owner of the car where he and his girlfriend  
26 were sitting in the car when your accomplices  
27 reached the car with a gun and told them: "Get

1 us out of here." How is it that they got to the  
2 car before you did?

3 INMATE DANG THROUGH INTERPRETER: I  
4 really don't know my friends got there first.

5 ATTORNEY LEWIS: Did they run faster than  
6 you?

7 INMATE DANG THROUGH INTERPRETER: Yes,  
8 maybe.

9 ATTORNEY LEWIS: And once they reached  
10 the car how many seconds afterwards did you  
11 reach the car? Was it two? Three? Four?

12 INMATE DANG THROUGH INTERPRETER: From  
13 two to three minutes.

14 ATTORNEY LEWIS: Three minutes?

15 INMATE DANG THROUGH INTERPRETER: I so  
16 scared so really couldn't tell the time.

17 ATTORNEY LEWIS: How many minutes were  
18 they ahead of you when you ran from the scene of  
19 the Lopez home?

20 INMATE DANG THROUGH INTERPRETER: I don't  
21 know.

22 ATTORNEY LEWIS: Did you ever have a  
23 weapon during the commission of this crime?

24 INMATE DANG THROUGH INTERPRETER: No.

25 ATTORNEY LEWIS: So it wasn't you who  
26 pulled the gun on Mr. Lopez and told him: "Get  
27 us out of here." Is that correct?



1           **INMATE DANG THROUGH INTERPRETER:** That's  
2 correct. I never had a weapon during that  
3 crime.

4           **ATTORNEY LEWIS:** Thank you. No further  
5 questions.

6           **PRESIDING COMMISSIONER INGLEE:** All  
7 right. Does the Deputy Commissioner have any  
8 further questions? I have one more question  
9 getting back to the Black Dragon for just a  
10 moment. Did you consider yourself an associate  
11 of the gang Black Dragon?

12          **ATTORNEY LEWIS:** Commissioner, I'm going  
13 to have to interject an objection on that. He's  
14 already been asked and answered that question  
15 that he didn't know that his associates were in  
16 the Black Dragons until he read it in the  
17 newspaper.

18          **PRESIDING COMMISSIONER INGLEE:** Well, I'm  
19 still going to ask.

20          **ATTORNEY LEWIS:** Of course.

21          **PRESIDING COMMISSIONER INGLEE:** Do you  
22 consider yourself an associate of the Black  
23 Dragons?

24          **INMATE DANG THROUGH INTERPRETER:** Before  
25 I didn't know anything. After I read the paper  
26 then I know they Black Dragon, but it's too late  
27 now.

1           **PRESIDING COMMISSIONER INGLEE:** My last  
2 question: How long did you know these -- how  
3 long had you known these associates that you  
4 committed the crime with? For how long a period  
5 of time?

6           **INMATE DANG THROUGH INTERPRETER:** It's  
7 about one year.

8           **PRESIDING COMMISSIONER INGLEE:** And they  
9 never discussed their relationship with the  
10 Black Dragon Gang in that year period?

11           **INMATE DANG THROUGH INTERPRETER:** No.

12           **PRESIDING COMMISSIONER INGLEE:** All  
13 right, let's go summary.

14           **DEPUTY DISTRICT ATTORNEY BULLOCH:** Yes.

15           **PRESIDING COMMISSIONER INGLEE:** District  
16 Attorney.

17           **DEPUTY DISTRICT ATTORNEY BULLOCH:** Thank  
18 you. I should start off by saying that there is  
19 some commendable actions on the part of this  
20 inmate with respect to his behavior while  
21 incarcerated it has been at least not violent,  
22 and he should be commended for that, that he has  
23 turned the corner so to speak with respect to  
24 that. But what is abundantly clear throughout  
25 the entire discussion here is that this inmate  
26 doesn't have a full grasp on why he committed  
27 the life offense in this particular case, nor

1 has he been completely candid with this Panel  
2 and all authorities, and that's evidenced by  
3 just the psychological report that we have from  
4 May 6<sup>th</sup>, less than a month ago, when he was  
5 disclosing what had happened as far as the life-  
6 crime to the psychologist and no where does he  
7 mention what his real role in this case was.  
8 Essentially what he does is minimize his  
9 behavior to the psychologist. And I think that  
10 goes a long way to explain why the psychologist  
11 thinks that this inmate is no more dangerous  
12 than anybody else off the street, and not many  
13 people have 17 robberies and a kidnapping in  
14 their background. But at nowhere in the  
15 inmate's rendition of the life-crime does he  
16 admit to the psychologist that he actually was  
17 one of those individuals that was taking the  
18 money and jewelry off the victims. Nowhere in  
19 this rendition of the facts did he indicate that  
20 he borrowed the car to drive the suspects to the  
21 crime location. Nowhere in this psychological  
22 report does he say that he was part of the  
23 planning process. In fact he misleads the  
24 psychologist by saying that he kind of just fell  
25 into this whole situation, when the truth of  
26 matter is that we at least know that he drove 30  
27 or 40 miles from his location in L.A. County, he

1 lived in Montebello or Monterey Park at that  
2 point in time, into San Bernardino, which is  
3 probably more than 30 or 40 miles, plenty of  
4 time, nonetheless, to change his mind and figure  
5 out what he was doing was wrong. So just as  
6 late as a month ago this inmate is misleading a  
7 psychologist for purposes of self-serving reason  
8 of trying to convince this that he is a safe  
9 person to be released. All this underscores the  
10 complete and inescapable conclusion that this  
11 inmate does not understand the scope of his  
12 behaviors. While said today that at least since  
13 he was 30 years old, which was three or four  
14 years ago, that he's come to the realization  
15 that what he did was wrong and that he has taken  
16 responsibility for that and that's not enough  
17 time. At least from the time he was 19 to the  
18 time he was 30 he wasn't; he was in denial, he  
19 was lying and he was misleading various  
20 authorities including psychologist, the prison  
21 system, probation, and law enforcement; he was  
22 in denial. And all his behavior, with respect  
23 to the psychologist, suggest that he hasn't  
24 worked out all those issues with respect to  
25 understanding what he did, what his role was.  
26 And for him to just merely tell this Panel that  
27 it was just immature peer pressure that got him

1 into this situation is in a word, hogwash. He  
2 knows how he got into that situation; he knows  
3 right from wrong and he knew it when he was 19  
4 that you don't go into somebody's house and rob  
5 them and take their money. It's complete lack  
6 of insight on his behavior. I would encourage  
7 the Panel to deny him a parole date for a  
8 maximum period of time.

9 **PRESIDING COMMISSIONER INGLEE:** Thank you  
10 very much. Counsel.

11 **ATTORNEY LEWIS:** I disagree with the  
12 Deputy D.A. here today. My client admitted to  
13 this Board that he collected the items while at  
14 the Lopez home; that his accomplices held the  
15 weapons used in the crimes, not only at the  
16 Lopez home but to abduct Mr. Salazar to  
17 commandeer his vehicle. It appears obvious to me  
18 that Sue [phonetic] or Sau and Chu needed a ride  
19 and that they found a gullible follower who  
20 could get the vehicle that they needed to commit  
21 this felony, these felonies. The man that you  
22 see here today is not the man who committed  
23 robbery at the Lopez' home and who was the  
24 accessory to the kidnapping of Louis Salazar on  
25 September 6, 1991, 14 years ago. At that time  
26 he was a follower. Mr. Dang should be found  
27 suitable for parole. The following supports

1 Mr. Dang in his contention that he has earned a  
2 second chance by being suitable for parole: he  
3 has taken responsibility for the life-crime; he  
4 has admitted guilt to the Board here today; and  
5 he has admitted guilt to other psychiatric  
6 evaluators; and he has been convicted of these  
7 crimes by a jury of his peers. The  
8 circumstances tending to indicate suitability  
9 include: my client has no juvenile record;  
10 Mr. Dang does have a record of assaulting others  
11 -- does not have a record of assaulting others;  
12 and other than this life-crime he has no adult  
13 record as well, this is his only crime; Mr. Dang  
14 has a suitable upbringing and vast family  
15 support; Mr. Dang has been commended for  
16 excellent and/or above average work performance  
17 by working well with his supervisors and peers  
18 and he has a great attitude; Mr. Dang has  
19 expressed remorse for his crime, not only to  
20 this Board but to his psychiatric evaluator last  
21 month. More importantly, however, Mr. Dang, has  
22 demonstrated his remorse by programming here and  
23 at other institutions by attending AA, although  
24 he has never had a drug or alcohol dependence  
25 problem. With regard to vocation training he is  
26 a little light, although he is on the list and  
27 there is a language barrier that exists and the

1 lists are so full that he is finding problems  
2 getting into these courses. However, he has  
3 gone through AA Impact group and some other  
4 courses or self-help assistance and he has tried  
5 to make him a better human being. Mr. Dang  
6 committed his crime as a result of significant  
7 stress in his life, at that time, due to his  
8 youth, the desire for money and the lack of  
9 skills to earn it, frustration, ignorance, and  
10 peer pressure. While incarcerated Mr. Dang has  
11 earned a GED in September 30, 2003. Mr. Dang  
12 lack any significant history of violent crime;  
13 this, again, is his only crime. At the time of  
14 the crime Mr. Dang was 19 years old; he is now  
15 34. At age 34 the probability of recidivism is  
16 vastly reduced. Mr. Dang's parole plans, if  
17 he's not deported, are solid and feasible. He  
18 has a residence that has been assured by his  
19 brother James Dang and there are support letters  
20 to show that. He also have employment plans to  
21 work with his brother in his up scale beauty  
22 salon by first being the janitor or gofer or  
23 whatever it may take, and if he's able to  
24 acquire a cosmetology license then he will  
25 actually jump in and get a booth and start  
26 cutting hair and performing those types of  
27 duties. Mr. Dang has marketable skills as a

1 barber and in electronics. With regard to  
2 discipline, Mr. Dang institutional activities  
3 indicate an enhanced ability to function within  
4 the law upon release. During his incarceration  
5 he has one 115, and that was back in 1993, and  
6 he does have seven 128s, which the last one was  
7 given to him in 1998, but none of the RVRs  
8 [phonetic] involve violence, illicit drugs or  
9 illicit alcohol. Currently his job assignment  
10 is as a porter and he has been receiving  
11 excellent reviews with regards to that. His  
12 level of dangerousness as assessed by  
13 Dr. Portnoff is low and in fact Dr. Portnoff has  
14 opined that's my client's level of dangerousness  
15 is not greater than the average human being.  
16 Mr. Dang has a network of family support that  
17 will not be there forever; people do drift away.  
18 Mr. Dang has a job offer that will not always be  
19 there, and Mr. Dang's parole plans are feasible.  
20 Mr. Dang has demonstrated that he can succeed  
21 without resorting to violence in the community.  
22 Therefore, we respectfully request that my  
23 client be granted parole in order to allow him  
24 to continue on with his life as a productive  
25 member of society. However, if this Board is of  
26 the opinion that there may be some areas that my  
27 client needs to upgrade and work on, we further



1 request that a one-year denial be granted. We  
2 submit.

3 **PRESIDING COMMISSIONER INGLEE:** Fine,  
4 thank you very much. Mr. Dang, you now have an  
5 opportunity to tell us why you are suitable for  
6 parole. You can go with what your attorney has  
7 just said, but we certainly encourage you to  
8 tell us why you are suitable for parole.

9 **INMATE DANG THROUGH INTERPRETER:** Now I'm  
10 older. When I did that I only 19 years old.  
11 Now I can tell wrong from right, or right from  
12 wrong. I would like to have a second chance.

13 **PRESIDING COMMISSIONER INGLEE:** Okay,  
14 very good. With that we are going to recess for  
15 deliberations. The time is now 10:42.

16 **R E C E S S**

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1 CALIFORNIA BOARD OF PAROLE HEARINGS

2 D E C I S I O N

3 PRESIDING COMMISSIONER INGLEE: Yes, we  
4 are back in session now in the matter of Huy  
5 Dang, H-U-Y, capital D-A-N-G, CDC number  
6 H-40124. The Panel has reviewed all information  
7 received from the public and relied on the  
8 following circumstances in concluding that the  
9 prisoner is not suitable for parole and, in  
10 fact, would pose an unreasonable risk of danger  
11 to society or a threat to public safety if  
12 released from prison. Mr. Dang, this is your  
13 Initial Hearing.

14 INMATE DANG: Yes.

15 PRESIDING COMMISSIONER INGLEE: And I  
16 want to be sure that you understand number one,  
17 everything that we have done here today, and  
18 that you know that this will be a basis for  
19 what's going to come forward. Also, we need to  
20 emphasize to you the need for you to understand  
21 the enormity of the crime and your participation  
22 in the crime. In this regard the offense was  
23 carried out in an especially cruel and callous  
24 manner, in that you and your associates,  
25 particular that you actively participated in a  
26 home-invasion robbery --

1           INMATE DANG:   Yes.

2           PRESIDING COMMISSIONER INGLEE:   -- and  
3   eventual kidnapping.   Multiple victims were  
4   attacked, one was injured and 15, appropriately  
5   15 were traumatized.   In separate incident, one  
6   victim's was abused, and this is Mr. Salazar,  
7   who was hit in the head by a pistol during the  
8   kidnapping.   The offense was carried out in a  
9   manner which demonstrates a callous disregard  
10   for human suffering, in that appropriately 15  
11   people were robbed at gunpoint, two others were  
12   kidnapped at gunpoint while you were attempting  
13   to flee the crime scene.   The motive of the  
14   crime was certainly very trivial in relation to  
15   the actual offense itself.   Your associates and  
16   you did not -- this issue did not deter you from  
17   later committing another crime, in this regard  
18   first the home-invasion crime and then you  
19   committed another crime when you kidnapped  
20   Mr. Salazar and his friend.   These conclusions  
21   are drawn from the Statement of Facts that says:  
22   that you were in the initial planning or part of  
23   the planning of this crime; that you in  
24   particularly borrowed a car from your landlord;  
25   you traveled from Los Angeles County down to San  
26   Bernardino with an associate; the automobile was  
27   HUY DANG   H-40124   DECISION PAGE 2   6/1/06

1 used in the actual crime itself or the home-  
2 invasion; you participated in this crime with  
3 members of an Asian gang, by the name of Black  
4 Dragon, in the home-invasion, where  
5 appropriately 15 people were held hostage as  
6 they were at a party gambling and eventually  
7 they were robbed; in the robbery itself, you  
8 were the one that gathered the money and jewels  
9 and initially held onto the money and jewels;  
10 you took part in the kidnapping of two victims  
11 and the automobile as a getaway; and later you  
12 hid the money and jewelry taken in the home-  
13 invasion in bushes. You fortunately had no  
14 prior criminal record, although you had an  
15 unstable social history in the fact that you had  
16 left Vietnam during a very, I would assume, a  
17 very uncomfortable time when you then went from  
18 Vietnam I believe to Hawaii. Is that correct?

19 **INMATE DANG:** Yes, sir.

20 **PRESIDING COMMISSIONER INGLEE:** You then  
21 stayed there with your father for a while and  
22 then you traveled from Hawaii to California.

23 **INMATE DANG:** Yes, sir.

24 **PRESIDING COMMISSIONER INGLEE:** You  
25 attended school but you didn't complete school.  
26 You became involved with friends who,

1 unfortunately, were of the gangster ilk and were  
2 leading you in the wrong direction, and you  
3 became part and parcel of a group of people who,  
4 it appears, were members of a notorious gang  
5 called the Black Dragons, and you participated  
6 in the home-invasion. Institutionally you have  
7 programmed in a limited manner while  
8 incarcerated. You have failed to develop a  
9 marketable skill that can be taken to the  
10 outside, a certified marketable skill that can  
11 be taken to the outside. You have, fortunately,  
12 upgraded yourself educationally; you received  
13 your GED, which is excellent. You have not  
14 sufficiently participated in self-help programs.  
15 You have been good in regard to your discipline.  
16 You have had seven 128s, the last one being  
17 6/12/1998, for refusal to report to class. You  
18 should be congratulated for only having one 115,  
19 and that was on 7/26/1993, for disobeying a  
20 direct order. The last psychological report is  
21 5/8/2006, by L. Portnoff, P-O-R-T-N-O-F-F, PhD.,  
22 and this is a favorable report. In this report  
23 they say that: "Under a controlled setting this  
24 inmate has not demonstrated any dangerous  
25 behavior. He has not received any aggressive  
26 disciplinary articles. Therefore, his violence  
27 HUY DANG H-40124 DECISION PAGE 4 6/1/06

1 potential in that setting is normal. If  
2 released to the community his violence potential  
3 is estimated to be low in comparison to the  
4 average inmate and probably no greater than that  
5 of the average citizen. He did not have a  
6 history of criminal offense prior to committing  
7 the offense. He does not have a history of  
8 subsequent behavior problems while incarcerated.  
9 He expresses an appropriate degree of insight  
10 and remorse." Your parole plans, you do not  
11 have residential plans within the last county or  
12 legal residence; however, if you were granted a  
13 date in the future, the Commissioner can order  
14 you to go to another county if they believe that  
15 it's in your best interest, so that's not a  
16 problem necessarily and that would be up to that  
17 Commissioner at that Hearing. So you do have  
18 viable residential plans and that is to move to  
19 your brother in Orange County and live with him  
20 and be an employee of his beauty salon. You  
21 have acceptable employment plans, but I question  
22 your ability to be able to function as a barber  
23 or in whatever form that is going to take place,  
24 and I believe you are going to have to take  
25 tests and you're going to have to be licensed.  
26 So you need to consider that.

1           **INMATE DANG:** Yes.

2           **PRESIDING COMMISSIONER INGLEE:** You do  
3 not have a certified marketable skill at the  
4 time and this is -- Deputy Commissioner Moore  
5 will discuss this in a few moments, but you need  
6 to consider this. The District Attorney of San  
7 Bernardino County made presentation and  
8 recommended strongly against parole at this  
9 time. Nevertheless, you should be commended for  
10 various things since you have been incarcerated  
11 and also some issues that you need to be  
12 reminded about and I'll ask Deputy Commissioner  
13 Moore if she will take of that for me.

14           **DEPUTY COMMISSIONER MOORE:** Okay.  
15 Mr. Dang, a couple of things that you've done  
16 very well and the D.A. even commented on them  
17 too. You have obtained your GED after coming to  
18 prison, and that is a very good beginning and a  
19 solid foundation for the future. You need to  
20 continue to build on that and to continue to  
21 improve your English skills, comprehension,  
22 understanding, speaking, and even writing, as  
23 you remain here in prison and you can do that  
24 while you're here, outside of the current job  
25 that you have and I highly recommend that. You  
26 had no violence in your history since you've

1 come to prison and you are to be congratulated  
2 for that; it is a difficult situation and you've  
3 done well. You've been eight years without any  
4 write-ups at all and 13 years since your 115,  
5 and we talked about the not standing for count  
6 and you indicated that you had been asleep. You  
7 have excellent work evaluations; you are a good  
8 employee. Your employment as a Unit Porter I  
9 don't think challenges you; it's pretty easy for  
10 you to be a Unit Porter.

11 **INMATE DANG:** Yes.

12 **DEPUTY COMMISSIONER MOORE:** Start trying  
13 to find or work towards jobs that take more  
14 skill, which then comes to the point that you  
15 are on several waiting lists for vocations:  
16 print shop --

17 **INMATE DANG:** Uh huh.

18 **DEPUTY COMMISSIONER MOORE:** -- and  
19 computer repair.

20 **INMATE DANG:** Right.

21 **DEPUTY COMMISSIONER MOORE:** Very good.  
22 As soon as you get into one put your attention  
23 and focus on it and get the same kind of  
24 reviews: above average and exceptional. Any  
25 other vocations that you can get into, do that,  
26 okay? You're time now is not spent doing



1 anything other than your work. You need to --  
2 so all of those things are to be commended and  
3 you are doing well. They offer programming here  
4 on anger management, stress management,  
5 communication skills, getting back into your  
6 community, getting out of prison, how to  
7 transition. You need to take any classes,  
8 programs, workshops that you can take that  
9 increases your English verbal skills so that you  
10 can develop even more understanding about your  
11 crime, you drove the car that brought everyone  
12 there, to understand your participation, when  
13 you started with this it was before you got to  
14 the house. Some of what we've heard today from  
15 you may be some English limitation, although  
16 you've had the use of Mr. Mein as an  
17 interpreter.

18 **INMATE DANG:** Right.

19 **DEPUTY COMMISSIONER MOORE:** I think part  
20 of it is processing, for you to come to  
21 understand not your small involvement but your  
22 bigger involvement, and any workshops that you  
23 can work on or programs that would permit you to  
24 do this would be of great benefit to you at your  
25 next Hearing. So continue upgrading your  
26 English skills, any classes that you can take:

1 writing, reading, speaking. Do you understand?

2 INMATE DANG: Yes.

3 DEPUTY COMMISSIONER MOORE: Okay. You've  
4 done a good job but you need to continue. This  
5 is your foundation; it's the beginning.

6 INMATE DANG: I only have one problem and  
7 it's speak in front of people, I get nervous.  
8 That's the only problem I got because after I  
9 (indiscernible) and that's how I get that GED.

10 DEPUTY COMMISSIONER MOORE: And what  
11 you're talking about is practice.

12 INMATE DANG: Because even though in my  
13 language I just get scared reading in front of  
14 people or talk out loud people to people.  
15 That's one thing I get real nervous.

16 DEPUTY COMMISSIONER MOORE: Okay. So  
17 you've got to practice at that, okay? It causes  
18 you to be nervous and anxious but work through  
19 it and start practicing.

20 INMATE DANG: Yes.

21 DEPUTY COMMISSIONER MOORE: Okay. That's  
22 all I have.

23 PRESIDING COMMISSIONER INGLEE: All  
24 right, I would like to just follow up on that.  
25 Do they have an organization here called  
26 Toastmasters? Toastmasters is in many prisons.

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1 You might just want to write that down and see  
2 if they have it here at the prison. If they  
3 have --

4 **INMATE DANG:** I don't think so.

5 **PRESIDING COMMISSIONER INGLEE:** It's an  
6 organization, it's a club where people learn how  
7 to speak and give presentations to groups. It's  
8 a very, very large organization; it's in the  
9 free world, it's all over. Almost every city  
10 has one or two chapters of Toastmasters. It is  
11 something that you may want to give thought to.

12 **INMATE DANG:** I don't believe they have  
13 this kind of program in this prison.

14 **PRESIDING COMMISSIONER INGLEE:** Well,  
15 maybe you should be aggressive enough to talk to  
16 your counselor to see if they would let you  
17 consider starting a Toastmaster organization  
18 here. Why not?

19 **INMATE DANG:** (indiscernible).

20 **PRESIDING COMMISSIONER INGLEE:** You're  
21 the one who needs it. It's an excellent  
22 organization. I'm sure that everybody here  
23 knows what I'm referring to. All right, let's  
24 move ahead. However, all these positive aspects  
25 of your behavior do not outweigh your factors of  
26 unsuitable at this time. In a separate

1 decision, the Hearing Panel noted that it is not  
2 reasonable to expect that parole would be  
3 granted during the next two years. Specific  
4 reasons are as follows: The prisoner committed  
5 the offense which was especially cruel and  
6 violent. In this regard you participated in the  
7 planning of the crime; you borrowed the actual  
8 automobile that was used in the crime itself,  
9 and in that regard you traveled from San  
10 Bernardino County, excuse me, you traveled from  
11 Los Angeles to San Bernardino County to  
12 participate in this robbery; you participated in  
13 this robbery with members of the well known  
14 Asian gang called the Black Dragons, and in this  
15 regard you were part of a home-invasion where  
16 you attacked appropriate 15 people that were  
17 having a party and in some cases gambling; you  
18 took and held the cash that was taken from the  
19 various people at the party; you were part of a  
20 kidnapping of two victims to acquire a getaway  
21 car, which eventually lead to having the police  
22 stop you and being arrested; and you, also,  
23 prior to that time hid the money and jewels in  
24 bushes before you left the scene. Multiple  
25 victims were attacked and one was injured, 15  
26 were traumatized in two separate incidents. The  
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1 offense was carried out, certainly, in a  
2 dispassionate and cruel manner. A victim was  
3 abused during the offense and in this regard  
4 Mr. Salazar was hit in the head with a pistol.  
5 The offense was carried out in a manner which  
6 demonstrated an exceptional callous disregard  
7 for human suffering. The motive of the crime  
8 was truly trivial in relation to the actual  
9 offense. You fortunately did not have any prior  
10 criminal record and you do not have any recent  
11 serious disciplinary violations. The Panel  
12 recommends that you: of course, remain  
13 disciplinary free;; if available start to be  
14 able to access certification in vocations; if  
15 available continue to participate in self-help  
16 programs; and I reference back to what Deputy  
17 Commissioner Moore just got finished speaking to  
18 you about. And as far as learning public  
19 speaking I'll just say one more time the name of  
20 the organization is called Toastmasters --

21 **INMATE DANG:** Yes, sir.

22 **PRESIDING COMMISSIONER INGLEE:** -- and  
23 you may wish to look into this and even ask your  
24 counselor to see if it's possible that if a  
25 Toastmasters isn't here if it could be started  
26 in the prison. This is not something new,

1 Toastmaster's actually exist in other prisons in  
2 the State of California.

3 INMATE DANG: Yes, sir.

4 PRESIDING COMMISSIONER INGLEE: Deputy  
5 Commissioner Moore?

6 DEPUTY COMMISSIONER MOORE: No thank you.

7 PRESIDING COMMISSIONER INGLEE: All  
8 right, good luck sir.

9 INMATE DANG: Thank you.

10 PRESIDING COMMISSIONER INGLEE: This  
11 Hearing is over. The time is now 1:30.

12 --oOo--

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23 PAROLE DENIED TWO YEARS

SEP 29 2006

24 THIS DECISION WILL BE FINAL ON: \_\_\_\_\_

25 YOU WILL BE PROMPTLY NOTIFIED, IF PRIOR TO THAT  
26 DATE, THE DECISION IS MODIFIED.

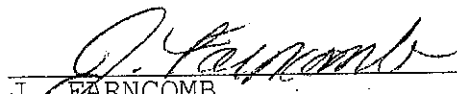
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CERTIFICATE AND  
DECLARATION OF TRANSCRIBER

I, J. FARNCOMB, a duly designated transcriber, PETERS SHORTHAND REPORTING, do hereby declare and certify under penalty of perjury that I have transcribed tape(s) which total Four in number and cover a total of pages numbered 1 - 91, and which recording was duly recorded at CORRECTIONAL TRAINING FACILITY, SOLEDAD, CALIFORNIA, in the matter of the INITIAL PAROLE CONSIDERATION HEARING of HUY DANG, CDC NO. H-40124, on June 1, 2006, and that the foregoing pages constitute a true, complete, and accurate transcription of the aforementioned tape to the best of my ability.

I hereby certify that I am a disinterested party in the above-mentioned matter and have no interest in the outcome of the hearing.

Dated August 16, 2006, at Sacramento,  
California.

  
\_\_\_\_\_  
J. FARNCOMB  
TRANSCRIBER  
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